



Drew H. Wrigley  
ATTORNEY GENERAL

STATE OF NORTH DAKOTA  
**OFFICE OF ATTORNEY GENERAL**  
www.attorneygeneral.nd.gov  
(701) 328-2210

SENATE STATE AND LOCAL  
GOVERNMENT COMMITTEE  
MARCH 20, 2025

TESTIMONY OF ALLYSON M. HICKS  
OFFICE OF ATTORNEY GENERAL  
ENGROSSED HB 1555

Chairman Roers, members of the Committee.

I am Allyson Hicks, Assistant Attorney General, General Counsel Division, and I appear on behalf of the Attorney General in a neutral capacity in regard to Engrossed House Bill 1555, however, I do request that the committee adopt the attached proposed amendment to make this bill compliant with current law and practice should it pass.

Turning to the proposed amendment, page 1, line 15, the amendment strikes the clause that requires the Secretary of State to refer a filing to the Attorney General related to N.D.C.C. § 47-01-09 or N.D.C.C. ch. 47-10.1. Currently, violations of N.D.C.C. § 47-01-09 are prosecuted by local state's attorneys, not the Attorney General, so referring the filing to the Attorney General would be inappropriate. Additionally, N.D.C.C. ch. 47-10.1 is administered by the Department of Agriculture and pursuant to the requirements of that chapter, any alleged violations are determined by the Commissioner and referred from his office with the appropriate materials and information. Due to the noncompliance with other laws, the Attorney General requests that this clause be removed.

On page 1, lines 18-19, accepted practice generally dictates that when an individual is alleged to have violate state law, that individual is prosecuted by the Attorney General in Burleigh County District Court to reduce costs and burden to the state in prosecuting the case as that is the

location of the Capitol complex. For that reason, the Attorney General requests that the overstricken language be removed.

Again, the Attorney General does not take a position on the policy or content of the bill, however, requests amendments to bring this law into compliance with current statutory schematics and practice should it pass.

I would stand for any questions.

Sixty-ninth  
Legislative Assembly  
of North Dakota

**PROPOSED AMENDMENT TO**  
**ENGROSSED HOUSE BILL NO. 1555**

Introduced by

Representative Hoverson

1 A BILL for an Act to create and enact a new section to chapter 54-09 of the North Dakota  
2 Century Code, relating to statements of ownership filed with the secretary of state; and to provide  
3 a penalty.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1.** A new section to chapter 54-09 of the North Dakota Century Code is  
6 created and enacted as follows:

7 **Statement of ownership - Secretary of state to forward certain filings - Penalty.**

- 8 1. An organization that is required to register with the secretary of state also shall file a  
9 statement with the secretary of state certifying whether the organization is a foreign  
10 organization of concern. An organization required to file a statement under this  
11 section shall file the statement simultaneously with the articles of incorporation,  
12 articles of organization, certification of authority, or other organization registration  
13 document required by the secretary of state.
- 14 2. If the secretary of state discovers any filing in which the statement of ownership was  
15 falsified ~~and the filing violates section 47-01-09 or chapter 47-10.1,~~ the secretary of  
16 state shall forward the filing to the attorney general.
- 17 3. If the attorney general determines a violation occurred, the attorney general may  
18 prosecute the action in the district court of ~~the county in which the registered agent of~~  
19 ~~the organization is located or in~~ Burleigh County.
- 20 4. An organization that willfully violates this section is guilty of a class B misdemeanor.
- 21 5. As used in this section:

- 1                    a. "Foreign country of concern" means a regime or a government identified as a  
2                    foreign adversary under title 15, Code of Federal Regulations, part 791, 4(a)  
3                    or a person identified on the office of foreign assets control sanctions list.  
4                    b. "Foreign organization of concern" means an organization domiciled or formed  
5                    within a foreign country of concern.