

HOUSE BILL NO. 1208
with Senate Amendments
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Introduced by

Representatives Klemin, Kasper, Louser

Senators Dwyer, Hogue

1 A BILL for an Act to create and enact a new subsection to section 51-08.1-08 and section
2 51-15-12 of the North Dakota Century Code, relating to damages, injunctive relief, and limitation
3 of actions; to amend and reenact section 51-08.1-07 of the North Dakota Century Code, relating
4 to civil penalty and injunctive enforcement; to provide a penalty; and to declare an emergency.

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

6 **SECTION 1. AMENDMENT.** Section 51-08.1-07 of the North Dakota Century Code is
7 amended and reenacted as follows:

8 **51-08.1-07. Civil penalty and injunctive enforcement by state.**

9 The attorney general, or a state's attorney with the permission or at the request of the
10 attorney general, may bring an action for appropriate injunctive relief, equitable relief, including
11 disgorgement, and civil penalties in the name of the state for a violation of this chapter. The trier
12 of fact may assess for the benefit of the state a civil penalty of not more than fiftyone hundred
13 thousand dollars for each violation of this chapter.

14 **SECTION 2.** A new subsection to section 51-08.1-08 of the North Dakota Century Code is
15 created and enacted as follows:

16 The attorney general may bring an action as parens patriae on behalf of a person
17 residing in the state to recover damages sustained by the person by reason of any
18 violation of this chapter.

19 **SECTION 3.** Section 51-15-12 of the North Dakota Century Code is created and enacted as
20 follows:

21 **51-15-12. Limitation of actions.**

22 Notwithstanding chapter 28-01, an action for relief under this chapter is barred if the claim is
23 not commenced within four years after the claim for relief accrues. The period of limitation for a

1 claim for relief may not be deemed to have accrued until the aggrieved party discovers the facts
2 constituting the violation of this chapter.

3 **SECTION 4. EMERGENCY.** This Act is declared to be an emergency measure.