

Introduced by

Energy and Natural Resources Committee

(At the request of the Public Service Commission)

1 A BILL for an Act to amend and reenact section 49-07-01.1 of the North Dakota Century Code,
2 relating to penalties for violations of the Energy Conversion and Transmission Facility Siting Act
3 under chapter 49-22.

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

5 **SECTION 1. AMENDMENT.** Section 49-07-01.1 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **49-07-01.1. Violation of statute, commission order, or commission rule - Assessment**
8 **of civil penalty.**

9 Any person who violates any statute, commission order, or commission rule which applies
10 to matters within the authority of the commission under chapters 8-08, 8-09, 8-10, 24-09, 32-25,
11 and 51-05.1, titles 60 and 64, and title 49 except for ~~chapters 49-22 and~~chapter 49-23, shall, in
12 addition to any other penalty provided, be subject to a civil penalty of not to exceed five
13 thousand dollars. A violation occurring under chapter 49-23, in addition to any other penalty, is
14 subject to a civil penalty not to exceed twenty-five thousand dollars. The commission shall
15 develop policies for the assessment of penalties under chapter 49-23 which will take into
16 consideration the severity of damages and the conduct of the offender. The civil penalty may be
17 compromised by the commission. The amount of the penalty when finally determined or agreed
18 upon in compromise, if not paid, may be recovered in a civil action in the courts of this state.