

February 2, 2023

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1325

Page 1, line 1, after "reenact" insert "section 12.1-01-05,"

Page 1, line 1, after "39-06.1-06" insert ", and subsection 2 of section 40-05-06"

Page 1, line 2, after "the" insert "effect of state law on city or county ordinances,"

Page 1, line 2, after "offenses" insert ", and limits on city fines and penalties"

Page 1, after line 4, insert:

**"SECTION 1. AMENDMENT.** Section 12.1-01-05 of the North Dakota Century Code is amended and reenacted as follows:

**12.1-01-05. Crimes defined by state law shall not be superseded by city or county ordinance or by home rule city's or county's charter or ordinance.**

~~Except as provided in section 40-05-06, an~~ An offense defined in this title or elsewhere by law may not be superseded by any city or county ordinance, or city or county home rule charter, or by an ordinance adopted pursuant to such a charter, and all such offense definitions shall have full force and effect within the territorial limits and other jurisdiction of home rule cities or counties. This section does not preclude any city or county from enacting any ordinance containing penal language when otherwise authorized to do so by law."

Page 2, after line 8, insert:

**"SECTION 3. AMENDMENT.** Subsection 2 of section 40-05-06 of the North Dakota Century Code is amended and reenacted as follows:

2. For every violation of a city ordinance that regulates the operation or equipment of a motor vehicle or which regulates traffic, except those ordinances listed in section 39-06.1-05, a fee may be established, by ordinance, which may not exceed, ~~by up to one hundred percent,~~ the limit, for an equivalent category of violation, set forth in section 39-06.1-06."

Renumber accordingly