

Fifty-sixth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1348

Introduced by

Representatives Ekstrom, Glassheim, S. Kelsh

Senators Holmberg, Thompson

1 A BILL for an Act relating to price gouging; and to provide a penalty.

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

3 **SECTION 1. Price gouging prohibited - Remedies - Penalty.**

- 4 1. During a disaster or an emergency as defined in section 37-17.1-04, the value
- 5 received for goods and services sold within the area and duration of the
- 6 designated disaster or emergency may not exceed the prices ordinarily charged for
- 7 comparable goods and services in the same market area at, or immediately
- 8 before, the time of the declaration of the disaster or emergency. However, a price
- 9 may be increased if the increase is based on actual increases in the cost of
- 10 acquiring, producing, selling, transporting, or delivering the actual product or
- 11 service sold, including labor costs.
- 12 2. A contract or agreement made in violation of this section is void and the purchaser
- 13 or offeree of a good and service is entitled to receive as damages three times the
- 14 difference between the ordinary price and the price charged or offered in violation
- 15 of this section.
- 16 3. A sale or offer for sale in violation of this section is a class A misdemeanor.