

March 7, 2005

PROPOSED AMENDMENTS TO SENATE BILL NO. 2117

Page 1, line 1, after the second comma insert "14-02.4-19,"

Page 5, line 1, replace ", or" with ". If a public accommodation can demonstrate that barrier removal is not readily achievable, the public accommodation"

Page 5, after line 3, insert:

"SECTION 3. AMENDMENT. Section 14-02.4-19 of the North Dakota Century Code is amended and reenacted as follows:

14-02.4-19. Actions - Limitations.

1. Any person claiming to be aggrieved by a discriminatory practice with regard to public services or public accommodations in violation of this chapter may file a complaint of discriminatory practices with the department or may bring an action in the district court in the judicial district in which the unlawful practice is alleged to have been committed or in the district in which the person would have obtained public accommodations or services were it not for the alleged discriminatory act within one hundred eighty days of the alleged act of wrongdoing.
2. Any person claiming to be aggrieved by any discriminatory practice other than public services or public accommodations in violation of this chapter may file a complaint of discriminatory practice with the department or may bring an action in the district court in the judicial district in which the unlawful practice is alleged to have been committed, in the district in which the records relevant to the practice are maintained and administered, or in the district in which the person would have worked or obtained credit were it not for the alleged discriminatory act within three hundred days of the alleged act of wrongdoing.
3. If a complaint of a discriminatory practice is first filed with the department, the period of limitation for bringing an action in the district court is ninety days from the date the department dismisses the complaint or issues a written notice to the complainant that administrative action on the complaint has concluded probable cause determination.
4. If a person elects to bring an action in the district court under this chapter, any pending administrative action based upon the same discriminatory acts must be dismissed immediately.

Page 5, line 30, after "occurred" insert "with regard to one or more of the claims of the aggrieved person's complaint" and after "dismiss" insert "all or a portion of"

Page 6, line 3, after "shall" insert "issue a probable cause determination and"

Re-number accordingly