

Introduced by

Representative Kasper

(Approved by the Delayed Bills Committee)

1 A BILL for an Act to create and enact a new section to chapter 6-08 of the North Dakota Century  
2 Code, relating to prohibitions on financial institutions disclosing information to the internal  
3 revenue service; to provide a penalty; and to provide an effective date.

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

5 **SECTION 1.** A new section to chapter 6-08 of the North Dakota Century Code is created  
6 and enacted as follows:

7 **Prohibitions on disclosure of information to internal revenue service - Civil penalty -**  
8 **Injunctive enforcement.**

- 9 1. Except as otherwise provided under this section, notwithstanding contrary state and  
10 federal laws and regulations, a financial institution, credit union, or financial  
11 corporation may not disclose customer information to the internal revenue service.  
12 2. Subsection 1 does not apply to a disclosure required for a tax audit, for a criminal  
13 investigation, or to comply with federal law or regulations in effect on October 1, 2021.  
14 3. The attorney general, or a state's attorney with the permission or at the request of the  
15 attorney general, may bring an action for appropriate injunctive relief and civil  
16 penalties in the name of the state for a violation of this section. The trier of fact may  
17 assess for the benefit of the state a civil penalty of one thousand dollars for each  
18 individual violation of this section.  
19 4. As used in this section, the term "customer information" has the same meaning as  
20 provided under section 6-08.1-01.

21 **SECTION 2. EFFECTIVE DATE.** This Act becomes effective upon its filing with the  
22 secretary of state.