

Twentieth Northern Marianas Commonwealth Legislature

IN THE HOUSE OF REPRESENTATIVES

Session, 2017

H. B. 20- **26**

A BILL FOR AN ACT

To amend 6 CMC §2143 by adding a new subsection (c) to establish a penalty for businesses who engage in drug-related activities; and for other purposes.

**BE IT ENACTED BY THE TWENTIETH NORTHERN MARIANAS
COMMONWEALTH LEGISLATURE:**

1 **Section 1. Short Title.** This Act shall be cited as the “Commercial
2 Business – Drug Control Act of 2017”.

3 **Section 2. Findings and Purpose.** The Legislature finds that certain
4 business establishments, both small and large, have engaged and/or are engaging
5 in illicit drug trade. This illegal activity continues to negatively affect our
6 residents and our great Commonwealth as a whole. Fortunately, due to the recent
7 events of drug busts occurring within the CNMI, the likelihood of assuring safety
8 among businesses and our citizens has increased. However, these businesses who
9 have been caught engaging in such activities continue to conduct businesses
10 operations within the CNMI. Therefore, appropriate measures must be taken to
11 penalize business establishments that continue to conduct their business
12 operations in such a heinous manner.

1 Therefore, the purpose of this Act is to amend 6 CMC §2143 by adding a
2 new subsection (c) to establish a penalty and regulation(s) for businesses who
3 engage in drug-related activities.

4 **Section 3. Amendment.** 6 CMC §2143 is hereby amended by adding a
5 new subsection (c) to read as follows:

6 **“§2143. Commercial Offenses; Penalties.**

7 (c) In addition to any criminal fees, fines, and penalties, any person
8 who has been issued a business license who violates any provision under
9 this Chapter shall be penalized by:

10 1st offense: a fine of no less than \$100,000.00 or an amount
11 equal to the street value, whichever is greater, and
12 revocation of license for up to one year;

13 2nd offense: a fine of no less than \$250,000.00 or an amount
14 equal to the street value, whichever is greater, and
15 permanent revocation of license.

16 Fines collected pursuant to subsection (c) shall be appropriated as follows:

17 (1) 25% to the Department of Public Safety for drug enforcement
18 purposes;

19 (2) 25% to the Division of Customs for drug enforcement
20 purposes;

21 (3) 25% to the CNMI Drug Court as established by Public Law 19-
22 14; and

1 (4) 25% to the Community Guidance Center for drug related
2 rehabilitation.”

3 **Section 4. Severability.** If any provisions of this Act or the application
4 of any such provision to any person or circumstance should be held invalid by a
5 court of competent jurisdiction, the remainder of this Act or the application of its
6 provisions to persons or circumstances other than those to which it is held invalid
7 shall not be affected thereby.


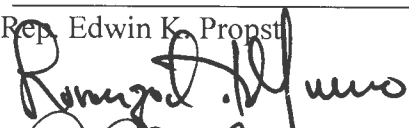

8 **Section 5. Savings Clause.** This Act and any repealer contained herein
9 shall not be construed as affecting any existing right acquired under contract or
10 acquired under statutes repealed or under any rule, regulation, or order adopted
11 under the statutes. Repealers contained in this Act shall not affect any proceeding
12 instituted under or pursuant to prior law. The enactment of the Act shall not have
13 the effect of terminating, or in any way modifying, any liability, civil or criminal,
14 which shall already be in existence on the date this Act becomes effective.

15 **Section 6. Effective Date.** This Act shall take effect upon its approval by
16 the Governor, or its becoming law without such approval.

Prefiled: 1/27/17

Date: 1/27/17

Introduced by:


Rep. Edwin K. Propst



Reviewed for Legal Sufficiency by:

Joseph D. Day
House Legal Counsel