

TITLE 1: GOVERNMENT
DIVISION 2: EXECUTIVE BRANCH

§ 2490. Penalties.

(a) Whoever, being over 18 years of age, refuses or willfully neglects, when requested by the Director of the Department of Commerce and Labor, the Chief of Statistics, or any other authorized officer, employee, or agent of the Central Statistics Division, to answer, to the best of his or her knowledge, any of the questions on any schedule submitted to him or her in connection with any statistical collection, census, or survey provided for by this article, applying to himself or herself or to the family to which he or she belongs or is related, or to the farm or farms of which he or she or his or her family is the occupant, shall be fined not more than \$100.

(b) Whoever, when answering questions authorized for the purposes of carrying out this article, and under the conditions and circumstances described in subsection (a) of this section, willfully gives any answer that is false, shall be fined not more than \$500.

(c) Notwithstanding any other provision of this article, no person shall be compelled to disclose information relative to his or her religious beliefs or membership in a religious body.

(d) Whoever, either directly or indirectly, offers or renders to any officer or employee of the Department of Commerce and Labor, the Central Statistics Division, or other bureau or agency thereof engaged in making an enumeration of population, any suggestions, advice, information or assistance of any kind, with the intent or purpose of causing an inaccurate enumeration of population, shall be fined not more than \$1,000 or imprisoned for not more than one year, or both.

(e) Whoever, being the owner, proprietor, manager, superintendent, or agent of any hotel, apartment house, boarding or lodging house, barracks, tenement, or other building, refuses or willfully neglects, when requested by the Director of the Department of Commerce and Labor, the chief of statistics, or by any other office, bureau, or agency thereof, acting under the authority of this article, to furnish the names of the occupants of such premises, or to give free ingress and egress therefrom to any duly accredited representative of such department, the Central Statistics Division, or office, bureau or agency thereof, so as to permit the collection of statistics as provided for in this article, or any survey authorized by this article, including, when relevant to the statistical collection or survey being taken or made, the proper and correct enumeration of all persons having their usual place of abode in such premises, shall be fined not more than \$500.

(f) Whoever, being the owner, official agent, the person in charge, or assistant to the person in charge, of any company, business, institution, establishment, religious body or organization of any nature whatsoever, neglects or refuses when requested by the Department of Commerce and Labor, the Central Statistics Division, or other authorized officer, agent, or employee thereof, to answer completely and correctly to the best of his or her knowledge all questions relating to his or her company, business, institution, establishment, religious body, or other organization, or to records or statistics in his or her official custody, contained in any census or other schedule or questionnaire prepared and submitted to him or her under authority of this article, shall be fined not more than \$500; and if he or she willfully gives a false answer to any such question he or

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she shall be fined not more than \$2,000 or imprisoned for not more than five years, or both.

(g) Whoever, being an employee of Central Statistics Division and having taken and subscribed the oath of office in accordance with 1 CMC § 2486(a), neglects or refuses, without justifiable cause, to perform the duties required of such employee by this article shall be fined not more than \$500.

(h) Whoever, being an officer, agent, or employee referred to in this article, willfully and knowingly swears or affirms falsely to the truth of any statement required to be made or subscribed by him or her under oath by or under authority of this article, shall be guilty of perjury, and shall be fined not more than \$2,000 or imprisoned not more than five years, or both.

(i) Whoever, being an officer or employee referred to in this article:

(1) Willfully and knowingly makes a false certificate or fictitious return; or

(2) Knowingly or willfully furnishes or causes to be furnished, or, having been such an officer or employee, knowingly or willfully furnished or caused to be furnished, directly or indirectly, to the Director of the Department of Commerce and Labor, the Chief of Statistics, or to any other officer or employee of the Department of Commerce and Labor, or the Central Statistics Division, or bureau, or office or agency thereof, any false statement or false information with reference to any inquiry for which he or she was authorized and required to collect information provided for in this article, shall be fined not more than \$2,000 or imprisoned not more than five years, or both.

(j) Whoever, being or having been an employee or staff member referred to in this article, having taken and subscribed the oath of office, publishes or communicates any information, the disclosure of which is prohibited by the provisions of this article, and which comes into his or her possession by reason of his or her being employed (or otherwise providing services) under the provisions of this article, shall be fined not more than \$5,000 or imprisoned not more than five years, or both.

Source: PL 7-35, § 11.

Commission Comment: With respect to the references to the “Director of the Department of Commerce and Labor” and to the agency itself, see Executive Order 94-3 (effective August 23, 1994), reorganizing the executive branch, changing agency names and official titles, and effecting other changes, set forth in the Commission comment to 1 CMC § 2001; see also the comment to 1 CMC § 2451.