

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1147

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new section to chapter 15-47 of the North Dakota Century Code, relating to school personnel notification of juvenile offenses; and to amend and reenact subsection 4 of section 27-20-51 of the North Dakota Century Code, relating to school personnel receipt of juvenile orders of disposition.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 15-47 of the North Dakota Century Code is created and enacted as follows:

Juvenile offenses - Notification of school officials.

1. A law enforcement officer shall notify a juvenile's principal or school administrator upon filing a petition with the juvenile court alleging that the juvenile committed:
 - a. An offense against a person which would constitute a felony were it committed by an adult;
 - b. An offense involving the use, possession, purchase, or trafficking of marijuana, narcotic drugs, or other controlled substances; or
 - c. An offense involving the use or possession of a dangerous weapon.
2. A juvenile's principal or school administrator may share any information received under this section and section 27-20-51 with the juvenile's teachers if the principal or administrator deems it necessary to ensure the safety or well-being of the juvenile or other persons attending, employed by, or otherwise involved with the juvenile's school or school district. Any information shared under this section or subsection 4 of section 27-20-51 must be treated as confidential information. The superintendent of public instruction shall provide forms and adopt rules under chapter 28-32 for the sharing of information under this section.

SECTION 2. AMENDMENT. Subsection 4 of section 27-20-51 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

4. ~~Following an adjudication of delinquency for an offense that would be a felony if committed by an adult, Unless otherwise ordered by a court, the juvenile court may forward the order of disposition to the juvenile's school principal; or chief administrative officer, or designated school guidance counselor, if requested, must be allowed access to the disposition order if:~~
 - a. The juvenile court deems it necessary to ensure the safety or well-being of the juvenile or other persons attending, employed by, or otherwise involved with the juvenile's school or school district; and
 - b. (1) The offense would constitute a felony were it committed by an adult;
(2) The offense was committed on school property;

- (3) The offense involved a crime against a person;
- (4) The offense was related to the use, possession, purchase, or trafficking of marijuana, narcotic drugs, or other controlled substances;
- (5) The offense involved the use or possession of a dangerous weapon; or
- (6) School attendance is a condition of probation or parole."

Renumber accordingly