

**FIRST ENGROSSMENT
with Senate Amendments**

Fifty-fifth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1357

Introduced by

Representatives Fairfield, Delmore, Kliniske, Stenehjem

Senator Heitkamp

1 A BILL for an Act to prohibit surreptitious intrusion; to amend and reenact subdivision c of
2 subsection 1 of section 12.1-32-15 of the North Dakota Century Code, relating to sexual
3 offenders; and to provide a penalty.

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

5 **SECTION 1. Surreptitious intrusion.**

6 1. An individual, with the intent to arouse, appeal to, or gratify that individual's lust,
7 passions, or sexual desires, is guilty of a class A misdemeanor if that individual
8 does any of the following:

9 a. With intent to intrude upon or interfere with the privacy of another, enters
10 upon another's property and surreptitiously gazes, stares, or peeps in the
11 window or any other aperture of a house or place of dwelling of another.

12 b. With intent to intrude upon or interfere with the privacy of another, enters
13 upon another's property and surreptitiously installs or uses any device for
14 observing, photographing, recording, amplifying, or broadcasting sounds or
15 events through the window or any other aperture of a house or place of
16 dwelling of another.

17 c. With intent to intrude upon or interfere with the privacy of the occupant,
18 surreptitiously gazes, stares, or peeps in the window or other aperture of a
19 sleeping room in a hotel, a tanning booth, or other place where a reasonable
20 individual would have an expectation of privacy and has exposed or is likely
21 to expose that individual's intimate parts, or has removed the clothing
22 covering the immediate area of the intimate parts.

23 d. With intent to intrude upon or interfere with the privacy of the occupant,
24 surreptitiously installs or uses any device for observing, photographing,

1 recording, amplifying, or broadcasting sounds or events through the window
2 or other aperture of a sleeping room in a hotel, a tanning booth, or other place
3 where a reasonable individual would have an expectation of privacy and has
4 exposed or is likely to expose that individual's intimate parts, or has removed
5 the clothing covering the immediate area of the intimate parts.

6 2. A person is guilty of a class C felony if the person violates subsection 1 after a
7 previous conviction for violating subsection 1 or if the person violates subsection 1
8 after being required to register under section 12.1-32-15.

9 **SECTION 2. AMENDMENT.** Subdivision c of subsection 1 of section 12.1-32-15 of the
10 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

11 c. "Sexual offender" means a person who has pled guilty to or been found guilty
12 of a violation of section 12.1-20-03, 12.1-20-04, 12.1-20-05, 12.1-20-06,
13 12.1-20-07, 12.1-20-11, chapter 12.1-27.2, subsection 2 of section 1 of this
14 Act, or an attempt to commit these offenses.