

**FIRST ENGROSSMENT
with Senate Amendments**Fifty-fifth
Legislative Assembly
of North Dakota**ENGROSSED HOUSE BILL NO. 1178**

Introduced by

Representatives Jacobs, Carlisle, Henegar, C. Johnsen

Senators Krauter, Urlacher

1 A BILL for an Act to create and enact a new subsection to section 12.1-22-03 of the North
2 Dakota Century Code, relating to criminal trespass; to amend and reenact subsection 2 of
3 section 12.1-17-01 of the North Dakota Century Code, relating to assault of firefighters or
4 emergency medical services personnel; and to provide a penalty.

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

6 **SECTION 1. AMENDMENT.** Subsection 2 of section 12.1-17-01 of the 1995
7 Supplement to the North Dakota Century Code is amended and reenacted as follows:

8 2. Simple assault is a class B misdemeanor except when the victim is a peace officer
9 or correctional institution employee acting in an official capacity, which the actor
10 knows to be a fact, ~~or any~~ a person engaged in a judicial proceeding, or a member
11 of a municipal or volunteer fire department or emergency medical services
12 personnel unit or emergency department worker in the performance of the
13 member's duties, in which case the offense is a class C felony.

14 **SECTION 2.** A new subsection to section 12.1-22-03 of the 1995 Supplement to the
15 North Dakota Century Code is created and enacted as follows:

16 This section does not apply to a peace officer in the course of discharging the
17 peace officer's official duties.