

Fifty-fifth Legislative Assembly, State of North Dakota, begun in the Capitol in the City of Bismarck, on Monday, the sixth day of January, one thousand nine hundred and ninety-seven

HOUSE BILL NO. 1178
(Representatives Jacobs, Carlisle, Henegar, C. Johnsen)
(Senators Krauter, Urlacher)

AN ACT to create and enact a new subsection to section 12.1-22-03 of the North Dakota Century Code, relating to criminal trespass; to amend and reenact subsection 2 of section 12.1-17-01 of the North Dakota Century Code, relating to assault of firefighters or emergency medical services personnel; and to provide a penalty.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

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

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

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

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

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Fifty-fifth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1178.

House Vote: Yeas 89 Nays 0 Absent 8

Senate Vote: Yeas 49 Nays 0 Absent 0

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 1997.

Approved at _____ M. on _____, 1997.

Governor

Filed in this office this _____ day of _____, 1997,
at _____ o'clock _____ M.

Secretary of State