

**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**

SENATE BILL NO. 2055
(Senators Nalewaja, Lee, Robinson)
(Representatives Jacobs, Kempenich)

AN ACT to amend and reenact section 50-11.1-13.1 of the North Dakota Century Code, relating to a penalty for providing certain childhood services.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 50-11.1-13.1 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

50-11.1-13.1. Penalty for provision of services in violation of sections ~~50-11.1-04 and 50-11.1-06~~ - When applicable. A person who ~~has been convicted of a crime against a child or is a sexual offender, as defined in section 12.1-32-15, or who has had an application for licensure or registration to provide early childhood services denied because of a finding of probable cause against that person for child abuse or neglect under chapter 50-25.1 or who has had a license or certificate of registration to provide early childhood services revoked upon a finding of probable cause against that person for child abuse or neglect under chapter 50-25.1, and who continues to provide~~ provides early childhood services to any child ~~not~~, other than a child who is a member of that person's household, is guilty of a class B misdemeanor if:

1. Those services are provided after that person is required to register under section 12.1-32-15;
2. The department has denied that person's application for licensure or registration to provide early childhood services or has revoked that person's license or certificate of registration to provide early childhood services following a finding that services are required under chapter 50-25.1 and that finding has become final or has not been contested by that person; or
3. The person allows another person to be in the presence of the child receiving the services if that other person is required to register under section 12.1-32-15 or has had an application for licensure or registration to provide early childhood service denied by the department following a finding that services are required under chapter 50-25.1 and that finding has become final or has not been contested by that other person.

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Fifty-fifth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2055.

Senate Vote: Yeas 47 Nays 0 Absent 2

House Vote: Yeas 94 Nays 0 Absent 3

Secretary of the Senate

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