

Fifty-fifth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1189

Introduced by

Representatives Soukup, Carlisle, Coats

Senators Nalewaja, W. Stenehjem

1 A BILL for an Act to amend and reenact section 8-10-11 of the North Dakota Century Code,
2 relating to the interruption of telecommunications in certain emergencies; and to provide a
3 penalty.

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

5 **SECTION 1. AMENDMENT.** Section 8-10-11 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **8-10-11. Interruption of ~~telephone communications~~ telecommunications in**
8 **kidnapping or hostage emergency - Duty of ~~telephone~~ telecommunications company to**
9 **assist - Prohibited communications - Penalty.**

10 1. As used in this section, "peace officer" has the same meaning as in section
11 12.1-01-04.

12 2. A peace officer ~~who~~ with supervisory control over an incident in which that peace
13 officer has probable cause to believe that an individual has confined oneself to
14 prevent apprehension, an individual is being unlawfully confined, or an individual
15 has been taken hostage, who has supervisory control over investigating the
16 incident, and who has lawful jurisdiction in the geographical area where the
17 violation is believed to be occurring, may order a ~~telephone~~ telecommunications
18 company to cut, reroute, or divert ~~telephone lines~~ telecommunications
19 transmissions for the purpose of controlling communications. Nothing in this
20 section may deny the ~~telephone~~ telecommunications company reimbursement for
21 the value of ~~their~~ services provided in or damage ~~to their facilities~~ resulting from
22 ~~their~~ compliance with ~~such~~ the supervising peace officer's order.

- 1 3. Each ~~telephone~~ telecommunications company shall designate an employee to
2 serve as a security official and to provide assistance as required by the supervising
3 peace officer under this section.
- 4 4. ~~A person~~ An individual may not initiate ~~telephone communications~~
5 telecommunications with a suspected violator if that ~~person~~ individual knows that
6 an order has been issued under subsection 2. Violation of this subsection is a
7 class B misdemeanor.