

HOUSE BILL NO. 1189
with Senate AmendmentsFifty-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 ~~is being unlawfully confined~~
14 ~~or has been taken hostage, who has supervisory control over investigating the~~
15 ~~incident, and who has lawful jurisdiction in the geographical area where the~~
16 ~~violation is believed to be occurring,~~ could suffer injury or death as a result of the
17 incident may order a ~~telephone~~ telecommunications company to cut, reroute, or
18 divert ~~telephone lines~~ telecommunications transmissions for the purpose of
19 controlling communications. Nothing in this section may deny the ~~telephone~~
20 telecommunications company reimbursement for the value of ~~their~~ services
21 provided in or damage ~~to their facilities~~ resulting from ~~their~~ compliance with ~~such~~
22 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.