

**FIRST ENGROSSMENT  
with Conference Committee Amendments****ENGROSSED SENATE BILL NO. 2185**

Introduced by

Senators Watne, Lyson, W. Stenehjem

1 A BILL for an Act to create and enact a new section to chapter 12-56 of the North Dakota  
2 Century Code, relating to the violation by parolees and probationers of the interstate compact  
3 for out-of-state supervision; and to provide a penalty.

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

5 **SECTION 1.** A new section to chapter 12-56 of the North Dakota Century Code is  
6 created and enacted as follows:

7 **Violation of compact - Penalty.** An individual who is on parole or probation in another  
8 state, who is present in this state without the permission of the officer of this state designated  
9 under subsection 5 of section 12-56-01, and who does not leave this state within seven days  
10 after being notified in writing by a law enforcement officer that the individual may not remain in  
11 this state without the permission of the designated officer is guilty of a class C felony. Within  
12 twenty-four hours after a law enforcement officer has notified an individual that the individual  
13 may not remain within the state without the permission of the designated officer, the law  
14 enforcement officer shall report the notification to the designated officer. An individual who is  
15 on parole or probation in another state may not remain in this state without the permission of  
16 the officer of this state designated under subsection 5 of section 12-56-01. In a prosecution for  
17 an offense under this section, an individual's good-faith belief that the individual received  
18 permission to be present in this state is an affirmative defense if the individual acted in  
19 reasonable reliance upon the written statements of an authorized officer of this state or the  
20 state in which the individual is on parole or probation. This defense is not available to a person  
21 who remains present in this state after being notified in writing by the designated officer of this  
22 state that the individual does not have permission to be present.