

Fifty-ninth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1214

Introduced by

Representatives Froelich, DeKrey, Delmore

Senators Fischer, Lyson, Warner

1 A BILL for an Act to amend and reenact subsection 3 of section 12.1-32-07 of the North Dakota
2 Century Code, relating to conditions of probation for sexual offenders.

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

4 **SECTION 1. AMENDMENT.** Subsection 3 of section 12.1-32-07 of the North Dakota
5 Century Code is amended and reenacted as follows:

6 3. The court shall provide as an explicit condition of every probation that the
7 defendant may not possess a firearm, destructive device, or other dangerous
8 weapon while the defendant is on probation. The court shall provide as an explicit
9 condition of probation that the defendant may not willfully go within one thousand
10 feet [300.48 meters] of the real property comprising a public or private elementary
11 or secondary school if the defendant is a sexual offender who committed a sexual
12 offense against a minor.

13 Unless waived on the record by the court, the court shall also provide as a
14 condition of probation that the defendant undergo various agreed-to community
15 constraints and conditions as intermediate measures of the department of
16 corrections and rehabilitation to avoid revocation, which may include:

- 17 a. Community service;
18 b. Day reporting;
19 c. Curfew;
20 d. Home confinement;
21 e. House arrest;
22 f. Electronic monitoring;
23 g. Residential halfway house; or
24 h. Intensive supervision program.