

**FIRST ENGROSSMENT
with Senate Amendments**

Sixtieth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1504

Introduced by

Representatives Charging, Froelich, Onstad

Senators Marcellais, Warner

1 A BILL for an Act to create and enact a new section to chapter 12-63 of the North Dakota
2 Century Code, relating to tribal police officers; and to amend and reenact subsection 3 of
3 section 12-63-01 of the North Dakota Century Code, relating to the definition of peace officer
4 for purposes of the peace officer standards and training board.

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

6 **SECTION 1. AMENDMENT.** Subsection 3 of section 12-63-01 of the North Dakota
7 Century Code is amended and reenacted as follows:

8 3. "Peace officer" means a public servant authorized by law or by government
9 agency or branch, which includes a federally recognized Indian tribe in this state,
10 to enforce the law and to conduct or engage in investigations of violations of the
11 law.

12 **SECTION 2.** A new section to chapter 12-63 of the North Dakota Century Code is
13 created and enacted as follows:

14 **Tribal peace officers.** A peace officer who is a member of a police force of a tribal
15 government who is a graduate of the North Dakota law enforcement training center is subject to
16 the rules and procedures as provided in this chapter and licensure under this chapter. If the
17 tribal peace officer is a graduate of a non-North Dakota law enforcement training center, the
18 officer must show proficiency with North Dakota criminal and traffic law to be licensed. A peace
19 officer who is a member of a police force of a tribal government may enforce state law within
20 the exterior boundaries of a reservation or off reservation if the officer is a graduate of the law
21 enforcement training center or equivalent law enforcement training center or academy and is
22 licensed as provided in this chapter. A tribal peace officer may not act in the capacity of a state
23 peace officer off reservation or within the exterior boundaries of a reservation unless there is an
24 agreement between the state or political subdivision and the tribe. The state or political

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- 1 subdivision is not liable for any act or omission of a tribal peace officer for enforcement of state
- 2 law within the exterior boundaries of a reservation. Nothing in this section diminishes or
- 3 expands the jurisdiction of any tribe or the state.