

Sixtieth
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2256

Introduced by

Senators Fiebiger, Mathern, Nething

Representatives Schneider, Zaiser

1 A BILL for an Act to create and enact a new section to chapter 12.1-20 of the North Dakota
2 Century Code, relating to sex offenders on school property; to amend and reenact
3 subsection 14 of section 12.1-32-15 of the North Dakota Century Code, relating to sex
4 offenders on school property; and to provide a penalty.

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

6 **SECTION 1.** A new section to chapter 12.1-20 of the North Dakota Century Code is
7 created and enacted as follows:

8 **Sexual offenders on school property.** A high-risk sexual offender who is required to
9 register under section 12.1-32-15 may not enter on the real property comprising a public or
10 private elementary, middle, or high school unless allowed on the property through compliance
11 with a written policy adopted by the school board of the public elementary, middle, or high
12 school or the governing body of a private elementary, middle, or high school with control over
13 the property. Any other registered sexual offender who is a parent or guardian of a student
14 attending the school may enter designated areas of the school allowed for activities involving
15 the sexual offender's own child with advance notice and approval of the school board of a
16 public school or governing entity of a private school or if the sexual offender is present for
17 purposes of voting in a school building used as a public polling place. A sexual offender who
18 violates this section is guilty of a class A misdemeanor.

19 **SECTION 2. AMENDMENT.** Subsection 14 of section 12.1-32-15 of the North Dakota
20 Century Code is amended and reenacted as follows:

21 14. A state officer, law enforcement agency, or school district or any appointee, officer,
22 or employee of those entities is not subject to civil or criminal liability for making
23 risk determinations, adopting policies governing or permitting the presence of

- 1 sexual offenders on school property as provided for in chapter 12.1-20, or for
- 2 disclosing or for failing to disclose information as permitted by this section.