

HOUSE BILL NO. 1334

Introduced by

Representatives Griffin, Delmore, Klemin

Senators Lyson, Olafson, Schneider

1 A BILL for an Act to amend and reenact subsection 7 of section 12.1-32-15 of the North Dakota
2 Century Code, relating to sexual offender registration.

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

4 **SECTION 1. AMENDMENT.** Subsection 7 of section 12.1-32-15 of the North Dakota
5 Century Code is amended and reenacted as follows:

6 7. Registration consists of a written statement signed by the individual, giving the
7 information required by the attorney general, and the fingerprints and photograph
8 of the individual. An individual who is not required to provide a sample of blood
9 and other body fluids under section 31-13-03 or by the individual's state or court of
10 conviction or adjudication shall submit a sample of blood and other body fluids for
11 inclusion in a centralized data base of DNA identification records under section
12 31-13-05. The collection, submission, testing and analysis of, and records
13 produced from, samples of blood and other body fluids, are subject to chapter
14 31-13. Evidence of the DNA profile comparison is admissible in accordance with
15 section 31-13-02. A report of the DNA analysis certified by the state crime
16 laboratory is admissible in accordance with section 31-13-05. A district court shall
17 order an individual who refuses to submit a sample of blood or other body fluids for
18 registration purposes to show cause at a specified time and place why the
19 individual should not be required to submit the sample required under this
20 subsection. Within three days after registration, the registering law enforcement
21 agency shall forward the statement, fingerprints, and photograph to the attorney
22 general and shall submit the sample of the individual's blood and body fluids to the
23 state crime laboratory. If an individual required to register pursuant to this section
24 has a change in name, school, or residence or employment address, that individual

1 shall inform in writing, at least ten days before the change, the law enforcement
2 agency with whom that individual last registered of the individual's new name,
3 school, residence address, or employment address. A change in school or
4 employment address includes the termination of school or employment for which
5 an individual required to register under this section shall inform in writing within five
6 days of the termination the law enforcement agency with whom the individual last
7 registered. The law enforcement agency, within three days after receipt of the
8 information, shall forward it to the attorney general. The attorney general shall
9 forward the appropriate registration data to the law enforcement agency having
10 local jurisdiction of the new place of residence, school, or employment. Upon a
11 change of address, the individual required to register shall also register within three
12 days at the law enforcement agency having local jurisdiction of the new place of
13 residence, school, or employment. The individual registering under this section
14 shall periodically confirm the information required under this subsection in a
15 manner and at an interval determined by the attorney general. A law enforcement
16 agency that has previously registered an offender may omit the fingerprint portion
17 of the registration if that agency has a set of fingerprints on file for that individual
18 and is personally familiar with and can visually identify the offender. These
19 provisions also apply in any other state that requires registration.