

Sixty-first
Legislative Assembly
of North Dakota

HOUSE BILL NO.

Introduced by

Representative Nelson

1 A BILL for an Act to create and enact a new section to chapter 12-44.1 of the North Dakota
2 Century Code, relating to allowing correctional officers to carry weapons in certain
3 circumstances; and to declare an emergency.

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

5 **SECTION 1.** A new section to chapter 12-44.1 of the North Dakota Century Code is
6 created and enacted as follows:

7 **Correctional officers authorized to carry weapons.** The administrator of a
8 correctional facility may allow a qualified correctional officer to carry a weapon, including a
9 firearm, during the transport of another governmental agency's prisoner, if the correctional
10 facility has a contract with the governmental agency to transport the agency's prisoners and
11 that contract requires the officer doing the transport to be armed. For purposes of this section,
12 "governmental agency" means an agency or department of this state or of any political
13 subdivision in this state, or another state or of a political subdivision of another state, or of the
14 United States. The correctional facility shall establish a policy with qualifications for officers to
15 carry weapons under this section. An officer must meet these qualifications to be authorized by
16 the administrator to carry weapons under this section.

17 **SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure.