

Sixty-second
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1224

Introduced by

Representative Weiler

1 A BILL for an Act to create and enact a new subdivision to subsection 1 of section 12.1-31-01
2 and a new section to chapter 12.1-31 of the North Dakota Century Code, relating to disorderly
3 conduct and surreptitious intrusion or interference with privacy; and to provide a penalty.

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

5 **SECTION 1.** A new subdivision to subsection 1 of section 12.1-31-01 of the North Dakota
6 Century Code is created and enacted as follows:

7 Uses a fixed optical device that enhances or records a visual occurrence to view
8 through any window of another person's property; or uses a surveillance camera
9 to capture an image from the dwelling or accessory structure of another person;
10 however, an individual using a surveillance camera has seven days from notice
11 by a law enforcement officer to direct or shield the camera so as to not capture
12 an image from another person's dwelling or accessory structure before there is
13 an offense.

14 **SECTION 2.** A new section to chapter 12.1-31 of the North Dakota Century Code is created
15 and enacted as follows:

16 **Surreptitious intrusion or interference with privacy.**

17 1. An individual is guilty of a class B misdemeanor if, with intent to intrude upon or
18 interfere with the privacy of another, the individual:
19 a. Enters upon another's property and surreptitiously gazes, stares, or peeps into a
20 house or place of dwelling of another; or
21 b. Enters upon another's property and surreptitiously installs or uses any device for
22 observing, photographing, recording, amplifying, or broadcasting sounds or
23 events from a house or place of dwelling of another.

- 1 2. An individual is guilty of a class B misdemeanor if, with intent to intrude upon or
- 2 interfere with the privacy of an occupant, the individual:
- 3 a. Surreptitiously gazes, stares, or peeps into a tanning booth, a sleeping room in a
- 4 hotel, or other place where a reasonable individual would have an expectation of
- 5 privacy; or
- 6 b. Surreptitiously installs or uses any device for observing, photographing,
- 7 recording, amplifying, or broadcasting sounds or events from a tanning booth, a
- 8 sleeping room in a hotel, or other place where a reasonable individual would
- 9 have an expectation of privacy.