

February 10, 2011

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1251

Page 1, line 1, replace "12-63" with "44-08"

Page 1, line 2, replace "44-08" with "54-40.3"

Page 1, line 2, remove "the joint exercise of police powers"

Page 1, line 3, remove "and"

Page 1, line 3, replace "peace officer" with "criminal justice"

Page 1, line 3, after "agencies" insert "; and to declare an emergency"

Page 1, remove lines 5 through 18

Page 1, line 24, replace "for" with "and a state or local criminal justice agency of this state may establish policies and procedures or enter agreements with other criminal justice agencies of this state to:"

Page 2, line 1, remove "Assisting other peace officers in the line of the other peace officer's duty and"

Page 2, line 2, replace "within the course of the other peace officer's employment" with "Assist other state and local criminal justice agencies"

Page 2, line 3, replace "Exchanging" with "Exchange"

Page 2, line 3, after "the" insert "criminal justice"

Page 2, line 3, after "another" insert "criminal justice"

Page 2, line 3, remove "or"

Page 2, line 4, remove "office"

Page 2, line 5, replace "The" with "A criminal justice"

Page 2, line 5, remove "or office"

Page 2, line 5, replace "agents" with "officers"

Page 2, line 6, replace "geographic area within the" with "criminal justice"

Page 2, line 7, remove "or office's"

Page 2, line 8, remove ", or to a parole"

Page 2, line 9, remove "or probation agent,"

Page 2, line 10, replace "appointive or elected agency or office" with "employing criminal justice agency"

Page 2, after line 18, insert:

"SECTION 2. A new section to chapter 54-40.3 of the North Dakota Century Code is created and enacted as follows:

Joint exercise of police power.

A state or a local criminal justice agency of this state, with the approval of its governing body, may enter an agreement in the manner provided in section 54-40.3-01 with another state or a political subdivision of another state, for the joint exercise of peace officer duties. A peace officer acting under an agreement pursuant to this agreement must be licensed under chapter 12-63, or if the peace officer is from another state, the officer must be licensed or certified by the other state's licensing or certifying authority. A peace officer acting under an agreement pursuant to this section has full peace officer authority in any jurisdiction that is a party to the agreement. Before an agreement entered under this section is effective, the governing body for each criminal justice agency must have approved the agreement and the attorney general must have determined the agreement is legally sufficient.

SECTION 3. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly