

HOUSE BILL NO. 1224

Introduced by

Representative Weiler

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

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

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

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

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

Surreptitious intrusion or interference with privacy.

1. An individual is guilty of a class B misdemeanor if, with intent to intrude upon or
interfere with the privacy of another, the individual:

a. Enters upon another's property and surreptitiously gazes, stares, or peeps into a
house or place of dwelling of another; or

b. Enters upon another's property and surreptitiously installs or uses any device for
observing, photographing, recording, amplifying, or broadcasting sounds or
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.