

Sixty-sixth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1503

Introduced by

Representatives Damschen, Boe, Headland, Magrum, Schmidt

Senators Myrdal, Patten, Schaible, Unruh

1 A BILL for an Act to amend and reenact section 12.1-31-14 of the North Dakota Century Code,
2 relating to prohibiting use of a device to observe, record, or photograph wildlife on private
3 property without permission and a permanently affixed identifier; and to provide a penalty.

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

5 **SECTION 1. AMENDMENT.** Section 12.1-31-14 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **12.1-31-14. Surreptitious intrusion or interference with privacy.**

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

- 10 a. Enters upon another's property and surreptitiously gazes, stares, or peeps into a
11 house or place of dwelling of another; or
12 b. Enters upon another's property and surreptitiously installs or uses any device for
13 observing, photographing, recording, amplifying, or broadcasting sounds or
14 events from a house or place of dwelling of another.

15 2. An individual is guilty of a class B misdemeanor if, with intent to intrude upon or
16 interfere with the privacy of an occupant, the individual:

- 17 a. Surreptitiously gazes, stares, or peeps into a tanning booth, a sleeping room in a
18 hotel, or other place where a reasonable individual would have an expectation of
19 privacy; or
20 b. Surreptitiously installs or uses any device for observing, photographing,
21 recording, amplifying, or broadcasting sounds or events from a tanning booth, a
22 sleeping room in a hotel, or other place where a reasonable individual would
23 have an expectation of privacy.

- 1 3. An individual is guilty of ~~a class B misdemeanor~~ an infraction if the individual enters
2 upon another's property and, ~~without written permission from the owner or occupant,~~
3 installs ~~or uses~~ any device for observing, recording, or photographing wildlife while the
4 owner of the device is absent:
5 a. Without written permission from the owner or occupant of the property; or
6 b. If the device does not have a permanently affixed metal or plastic tag with a
7 registration number issued by the game and fish department, or the individual's
8 name, address, and telephone number.