

Fifty-fifth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1147

Introduced by

Representatives Soukup, Kretschmar, Monson

Senators Mathern, Nalewaja, Robinson

1 A BILL for an Act to create and enact a new section to chapter 27-20 of the North Dakota
2 Century Code, relating to school personnel notification of juvenile offenses; and to amend and
3 reenact subsection 4 of section 27-20-51 of the North Dakota Century Code, relating to school
4 personnel receipt of juvenile orders of disposition or adjudications.

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

6 **SECTION 1. AMENDMENT.** Subsection 4 of section 27-20-51 of the 1995 Supplement
7 to the North Dakota Century Code is amended and reenacted as follows:

8 4. ~~Following an adjudication of delinquency for an offense that would be a felony if~~
9 ~~committed by an adult, The juvenile's supervisor shall:~~

10 a. Forward the order of disposition or other adjudication to the juvenile's school
11 principal; or chief administrative officer; or designated school guidance
12 counselor, if requested, must be allowed access to the disposition order if:

13 (1) The offense would constitute a felony were it committed by an adult;

14 (2) The offense was committed on school property;

15 (3) The offense involved a crime against a person;

16 (4) The offense was related to the use, possession, purchase, or trafficking
17 of marijuana, narcotic drugs, or other controlled substances; or

18 (5) The offense involved the use or possession of a dangerous weapon;

19 b. Notify the juvenile's parents or guardian, in writing, when an order has been
20 forwarded as required by this subsection;

21 c. Notify the juvenile's school principal or chief administrative officer that,
22 notwithstanding any other provision of this section, the principal or officer may
23 obtain additional information about the proceeding from the supervisor after
24 informing the juvenile's parent or guardian; and

- 1 d. Maintain a record of all information forwarded under this subsection until the
2 juvenile graduates from high school or reaches the age of twenty-three.

3 **SECTION 2.** A new section to chapter 27-20 of the North Dakota Century Code is
4 created and enacted as follows:

5 **Notification of school officials regarding juvenile offenses.**

- 6 1. A law enforcement officer shall notify a child's school principal or chief
7 administrative officer upon filing a petition with the juvenile court alleging that the
8 child committed an offense:
9 a. Against a person;
10 b. Involving the use, possession, purchase, or trafficking of marijuana, narcotic
11 drugs, or other controlled substances; or
12 c. Involving the use or possession of a dangerous weapon.
13 2. a. A child's school principal or chief administrative officer may share any
14 information received under this section with other school or school district
15 personnel if doing so is determined necessary to ensure the safety or
16 well-being of the child or of other persons attending, employed by, or
17 otherwise involved with the child's school or school district.
18 b. The superintendent of public instruction may provide forms and guidelines for
19 the sharing of information under this subsection.