

**FIRST ENGROSSMENT
with Senate Amendments**

Fifty-fifth
Legislative Assembly
of North Dakota

ENGROSSED 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 15-47 and a new section to
2 chapter 27-20 of the North Dakota Century Code, relating to school personnel notification of
3 juvenile offenses; and to amend and reenact subsection 4 of section 27-20-51 of the North
4 Dakota Century Code, relating to school personnel receipt of juvenile orders of disposition.

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

6 **SECTION 1.** A new section to chapter 15-47 of the North Dakota Century Code is
7 created and enacted as follows:

8 **Juvenile offenses - Notification of school officials.**

- 9 1. A law enforcement officer shall notify a juvenile's principal and school administrator
10 upon filing a petition with the juvenile court alleging that the juvenile committed:
11 a. An offense against a person which would constitute a felony were it
12 committed by an adult;
13 b. An offense involving the use, possession, purchase, or trafficking of
14 marijuana, narcotic drugs, or other controlled substances; or
15 c. An offense involving the use or possession of a dangerous weapon.
16 2. A juvenile's principal or school administrator may share any information received
17 under this section and section 27-20-51 with the juvenile's teachers if the principal
18 or administrator deems it necessary to ensure the safety or well-being of the
19 juvenile or other persons attending, employed by, or otherwise involved with the
20 juvenile's school or school district. Any information shared under this section or
21 subsection 4 of section 27-20-51 must be treated as confidential information. The
22 superintendent of public instruction shall provide forms and adopt rules under
23 chapter 28-32 for the sharing of information under this section.

1 **SECTION 2. AMENDMENT.** Subsection 4 of section 27-20-51 of the 1995
2 Supplement to the North Dakota Century Code is amended and reenacted as follows:

3 4. ~~Following an adjudication of delinquency for an offense that would be a felony if~~
4 ~~committed by an adult, Unless otherwise ordered by a court, the juvenile court~~
5 ~~shall forward the order of disposition to the juvenile's school principal; or chief~~
6 ~~administrative officer; or designated school guidance counselor, if requested, must~~
7 ~~be allowed access to the disposition order if:~~

8 a. The juvenile court deems it necessary to ensure the safety or well-being of
9 the juvenile or other persons attending, employed by, or otherwise involved
10 with the juvenile's school or school district; and

- 11 b. (1) The offense would constitute a felony were it committed by an adult;
12 (2) The offense was committed on school property;
13 (3) The offense involved a crime against a person;
14 (4) The offense was related to the use, possession, purchase, or trafficking
15 of marijuana, narcotic drugs, or other controlled substances;
16 (5) The offense involved the use or possession of a dangerous weapon; or
17 (6) School attendance is a condition of probation or parole.

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

20 **Notification of school officials.** If a juvenile is alleged to have committed an offense
21 specified in subsection 1 of section 1 of this Act, and the court determines the juvenile did not
22 commit the offense, the court shall notify the juvenile's principal and school administrator of that
23 determination.