

**Fifty-fifth Legislative Assembly, State of North Dakota, begun in the Capitol in the City of Bismarck, on Monday, the sixth day of January, one thousand nine hundred and ninety-seven**

HOUSE BILL NO. 1350  
(Representatives Nichols, Mahoney, Maragos, Carlisle)  
(Senators Nalewaja, Robinson)

AN ACT to amend and reenact section 12.1-21-05 of the North Dakota Century Code, relating to classification of criminal mischief offenses; and to provide a penalty.

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

**SECTION 1. AMENDMENT.** Section 12.1-21-05 of the North Dakota Century Code is amended and reenacted as follows:

**12.1-21-05. Criminal mischief.**

1. A person is guilty of an offense if ~~he~~ that person:
  - a. Willfully tampers with tangible property of another so as to endanger person or property; or
  - b. Willfully damages tangible property of another.
2. The offense is:
  - a. A class ~~C~~ B felony if the actor intentionally causes pecuniary loss in excess of ~~two~~ ten thousand dollars ~~or damages tangible property of another by means of an explosive or a destructive device.~~
  - b. A class C felony if the actor intentionally causes pecuniary loss in excess of two thousand dollars but not in excess of ten thousand dollars or damages tangible property of another by means of an explosive or a destructive device.
  - c. A class A misdemeanor if the actor recklessly causes pecuniary loss in excess of two thousand dollars or if the actor intentionally causes pecuniary loss of from one hundred dollars through two thousand dollars.

Otherwise the offense is a class B misdemeanor.

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
President of the Senate

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Chief Clerk of the House

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Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Fifty-fifth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1350.

House Vote:      Yeas    93      Nays    0      Absent    4

Senate Vote:    Yeas    46      Nays    0      Absent    3

\_\_\_\_\_  
Chief Clerk of the House

Received by the Governor at \_\_\_\_\_ M. on \_\_\_\_\_, 1997.

Approved at \_\_\_\_\_ M. on \_\_\_\_\_, 1997.

\_\_\_\_\_  
Governor

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 1997,  
at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State