

**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. 1309  
(Representatives R. Kelsch, Huether, Stenehjem)  
(Senators Holmberg, Robinson)

AN ACT to amend and reenact section 49-10.1-05 of the North Dakota Century Code, relating to the authority, jurisdiction, and powers of railroad police.

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

**SECTION 1. AMENDMENT.** Section 49-10.1-05 of the North Dakota Century Code is amended and reenacted as follows:

**49-10.1-05. ~~Security officers~~ Railroad police.** ~~Security officers hired by railroads, station agents, train crews, and trackmen~~ Railroad police officers who are designated by a railroad to be licensed under the laws of this state, while engaged in their employment with the railroad shall have the authority of a "law enforcement officer" pursuant to subsection ~~48~~ 17 of section 12.1-01-04 for the purpose of arresting any person committing a felony on railroad property or associated with railroad equipment, or to arrest a person committing a misdemeanor involving railroad property or relating to persons or property being transported by the railroad, or awaiting transportation by the railroad, and ~~shall further~~ have the power of removing an individual from a train who has no right to be there, or who is engaging in a conduct prohibited by title 12.1. ~~Persons so arrested shall be forthwith turned over to local or county law enforcement officers.~~

\_\_\_\_\_  
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. 1309.

House Vote:      Yeas    95      Nays    1      Absent    1

Senate Vote:    Yeas    49      Nays    0      Absent    0

\_\_\_\_\_  
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