

**SENATE BILL NO. 2367**

Introduced by

Senator Nething

1 A BILL for an Act to amend and reenact subsection 7 of section 25-03.3-01 of the North Dakota  
2 Century Code, relating to the definition of sexually dangerous individual.

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

4 **SECTION 1. AMENDMENT.** Subsection 7 of section 25-03.3-01 of the 1997  
5 Supplement to the North Dakota Century Code is amended and reenacted as follows:

6 7. "Sexually dangerous individual" means an individual who is shown to have  
7 engaged in sexually predatory conduct for which the individual has been convicted  
8 of an offense under chapter 12.1-20 or 12.1-27.2, or an offense under the laws of  
9 another jurisdiction that required proof of substantially similar elements, and who  
10 has a congenital or acquired condition that is manifested by a sexual disorder, a  
11 personality disorder, or other mental disorder or dysfunction that makes that  
12 individual likely to engage in further acts of sexually predatory conduct which  
13 constitute a danger to the physical or mental health or safety of others. It is a  
14 rebuttable presumption that sexually predatory conduct creates a danger to the  
15 physical or mental health or safety of the victim of the conduct. The term does not  
16 include an individual with mental retardation.