

**HOUSE BILL NO. 1500**

Introduced by

Representatives Dosch, L. Meier, Porter, Weiler

Senator Hacker

1 A BILL for an Act to amend and reenact section 12.1-22-03 of the North Dakota Century Code,  
2 relating to criminal trespass.

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

4 **SECTION 1. AMENDMENT.** Section 12.1-22-03 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **12.1-22-03. Criminal trespass.**

- 7 1. ~~A person~~ An individual is guilty of a class C felony if, knowing that ~~he~~ that  
8 individual is not licensed or privileged to do so, ~~he~~ the individual enters or remains  
9 in a dwelling or in highly secured premises.
- 10 2. ~~A person~~ An individual is guilty of a class A misdemeanor if, knowing that ~~he~~ that  
11 individual is not licensed or privileged to do so, ~~he~~ the individual:
- 12 a. Enters or remains in or on any building, occupied structure, or storage  
13 structure, or separately secured or occupied portion thereof; or
- 14 b. Enters or remains in any place so enclosed as manifestly to exclude intruders.
- 15 3. ~~A person~~ An individual is guilty of a class B misdemeanor if, knowing that that  
16 ~~person~~ individual is not licensed or privileged to do so, ~~that person~~ the individual  
17 enters or remains in any place as to which notice against trespass is given by  
18 actual communication to the actor by the ~~person~~ individual in charge of the  
19 premises or other authorized ~~person~~ individual or by posting in a manner  
20 reasonably likely to come to the attention of intruders. The name of the person  
21 posting the premises must appear on each sign in legible characters. ~~A person~~ An  
22 individual who violates this subsection is guilty of a class A misdemeanor for the  
23 second or subsequent offense within a two-year period.

- 1           4.   ~~A person~~ An individual is guilty of a class B misdemeanor if that ~~person~~ individual  
2                   remains upon the property of another after being requested to leave the property  
3                   by a duly authorized ~~person~~ individual. ~~A person~~ An individual who violates this  
4                   subsection is guilty of a class A misdemeanor for the second or subsequent  
5                   offense within a two-year period.
- 6           5.   This section does not apply to a peace officer in the course of discharging the  
7                   peace officer's official duties.