

Sixtieth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1504

Introduced by

Representatives Charging, Froelich, Onstad

Senators Marcellais, Warner

1 A BILL for an Act to create and enact a new section to chapter 12-63 of the North Dakota
2 Century Code, relating to tribal police officers; and to amend and reenact subsection 3 of
3 section 12-63-01 of the North Dakota Century Code, relating to the definition of peace officer
4 for purposes of the peace officer standards and training board.

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

6 **SECTION 1. AMENDMENT.** Subsection 3 of section 12-63-01 of the North Dakota
7 Century Code is amended and reenacted as follows:

8 3. "Peace officer" means a public servant authorized by law or by government
9 agency or branch, which includes a federally recognized Indian tribe in this state,
10 to enforce the law and to conduct or engage in investigations of violations of the
11 law.

12 **SECTION 2.** A new section to chapter 12-63 of the North Dakota Century Code is
13 created and enacted as follows:

14 **Tribal peace officers.** A peace officer who is a member of a police force of a tribal
15 government who becomes licensed through the North Dakota law enforcement center is
16 subject to the rules and procedures as provided in this chapter. A peace officer who is a
17 member of a police force of a tribal government may act off reservation in a law enforcement
18 capacity if the officer is a graduate of the law enforcement center or equivalent law enforcement
19 training center or academy. If the tribal peace officer is a graduate of a non-North Dakota law
20 enforcement center, the officer must show proficiency with North Dakota law to be licensed. A
21 tribal peace officer may not act off reservation unless there is an agreement between the state
22 or political subdivision and the tribe of which the tribal peace officer is a member governing the
23 actions of the tribal peace officer off reservation. A tribal peace officer acting off reservation

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- 1 pursuant to an agreement with the state or political subdivision is liable for any act or omission
- 2 of the officer.