

SENATE BILL NO. 2378

Introduced by

Senators Olafson, Fiebiger, Lyson, Nething

Representatives Berg, DeKrey

1 A BILL for an Act to amend and reenact section 29-06-05.2 of the North Dakota Century Code,
2 relating to the authority of a federal law enforcement agent to make an arrest for a violation of
3 state law.

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

5 **SECTION 1. AMENDMENT.** Section 29-06-05.2 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **29-06-05.2. Federal ~~bureau of investigation~~ law enforcement officer - Authority to**
8 **make arrests.**

- 9 1. "~~Special~~ Federal agent" means an employee of the federal bureau of investigation
10 or the federal drug enforcement administration who is authorized to arrest, with or
11 without a warrant, any individual for a violation of the United States Code and carry
12 a firearm in the performance of the employee's duties as a federal law enforcement
13 officer.
- 14 2. A ~~special~~ federal agent has the same authority and immunity as a peace officer in
15 this state when making an arrest for a nonfederal crime if any of the following exist:
- 16 a. The ~~special~~ federal agent has reasonable grounds to believe that a ~~felony~~
17 criminal offense was committed and the ~~person~~ individual arrested committed
18 the offense.
- 19 b. The ~~special~~ federal agent is rendering assistance to a peace officer in an
20 emergency or at the request of the peace officer.
- 21 c. The ~~special~~ federal agent is working as a part of a task force composed of
22 North Dakota peace officers and federal law enforcement officers.