

**HOUSE BILL NO. 1251**

Introduced by

Representatives Koppelman, Wieland, Guggisberg

Senators J. Lee, Sorvaag, Schneider

1 A BILL for an Act to create and enact a new section to chapter 12-63 and a new section to  
2 chapter 44-08 of the North Dakota Century Code, relating to the joint exercise of police powers  
3 and cooperative agreements among peace officer agencies.

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

5 **SECTION 1.** A new section to chapter 12-63 of the North Dakota Century Code is created  
6 and enacted as follows:

7 **Joint exercise of police power.**

8 Upon the execution of an agreement that authorizes the exercise of peace officer or police  
9 powers by a peace officer appointed by one of the governmental units within the jurisdiction of  
10 the other governmental unit, a peace officer acting pursuant to that agreement has the full and  
11 complete authority of a peace officer as though appointed by both governmental units provided  
12 that:

- 13 1. The peace officer has successfully completed a professionally recognized peace  
14 officer preemployment training program that the board has found to be comparable to  
15 North Dakota peace officer preemployment training; and  
16 2. The peace officer is duly licensed or certified by the peace officer licensing or  
17 certification authority of the state in which the peace officer's appointing authority is  
18 located.

19 **SECTION 2.** A new section to chapter 44-08 of the North Dakota Century Code is created  
20 and enacted as follows:

21 **Interagency cooperation.**

- 22 1. Any appointive or elective agency or office of peace officers, as defined in section  
23 12-63-01, may establish policies and enter agreements with other agencies and  
24 offices for:

- 1           a. Assisting other peace officers in the line of the other peace officer's duty and  
2           within the course of the other peace officer's employment; and
- 3           b. Exchanging the agency's peace officers with peace officers of another agency or  
4           office on a temporary basis.
- 5           2. The agency or office may establish policies for assisting probation and parole agents  
6           who are supervising probationers or parolees in the geographic area within the  
7           agency's or office's jurisdiction.
- 8           3. a. When a peace officer provides assistance to another peace officer, or to a parole  
9           or probation agent, within the scope of the policies of the peace officer's  
10           appointive or elected agency or office, the assistance must be within the line of  
11           duty and course of employment of the peace officer rendering the assistance.
- 12           b. When a peace officer acts on behalf of another agency or office within the scope  
13           of an exchange agreement entered under subsection 1, the peace officer's  
14           actions are within the peace officer's line of duty and course of employment to the  
15           same extent as if the peace officer had acted on behalf of the peace officer's  
16           employing agency.
- 17           4. This section does not extend or enlarge the duties or authority of any peace officer or  
18           any other law enforcement agent except as provided in this section.