15.0733.01000

Sixty-fourth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1307

Introduced by

Representatives K. Koppelman, Delmore, M. Johnson

Senator Luick

A BILL for an Act to amend and reenact section 12.1-12-06 of the North Dakota Century Code, relating to threatening of public servants.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 12.1-12-06 of the North Dakota Century Code is amended and reenacted as follows:

12.1-12-06. Threatening public servants.

1. A person is guilty of a class C felony if he threatens harm to another with intent to influence his official action as a public servant in a pending or prospective judicial or administrative proceeding held before him, or with intent to influence him to violate his duty as a public servant.
2. A person is guilty of a class C felony if, with intent to influence another's official action as a public servant, he threatens:
   a. To commit any crime or to do anything unlawful;
   b. To accuse anyone of a crime; or
   c. To expose a secret or publicize an asserted fact, whether true or false, tending to subject any person, living or deceased, to hatred, contempt, or ridicule, or to impair another's credit or business repute.
3. It is no defense to a prosecution under this section that a person whom the actor sought to influence was not qualified to act in the desired way whether because he had not yet assumed office, or lacked jurisdiction, or for any other reason.
4. A person is guilty of a class C felony if the person files, attempts to file, or conspires to file, in any public or private record that is generally available to the public, any false lien or encumbrance against real or personal property of a public servant if that person

knows or has reason to know the lien or encumbrance is false or contains any materially false or fraudulent statement or representation.