

**HOUSE BILL NO. 1293**

Introduced by

Representatives Grueneich, Dockter, Headland, K. Koppelman, Lefor, Nathe, Oliver, M.  
Ruby, Satrom, Seibel

Senator Wanzek

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; and to provide a penalty.

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

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