

HOUSE BILL NO. 1334

Introduced by

Representatives Christensen, Cory, Henderson, Klemin, S. Olson, Vetter

Senators Luick, Myrdal, Paulson

1 A BILL for an Act to create and enact sections 12.1-17-04.1 and 29-04-01.1 of the North Dakota
2 Century Code, relating to domestic terrorism and the statute of limitations for domestic
3 terrorism; to amend and reenact section 29-04-02 of the North Dakota Century Code, relating to
4 the statute of limitations for felonies except murder or domestic terrorism; to provide a penalty;
5 and to declare an emergency.

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

7 **SECTION 1.** Section 12.1-17-04.1 of the North Dakota Century Code is created and
8 enacted as follows:

9 **12.1-17-04.1. Domestic terrorism - Definitions - Penalty.**

10 1. As used in this section:

11 a. "Domestic terrorism" means an activity conducted within the geographical
12 boundaries of the state which:

13 (1) Is done in cooperation with any federally designated international terrorist
14 organization that threatens or appears to threaten the sovereignty of the
15 state or the United States of America;

16 (2) Is a violation of criminal law; and

17 (3) Either:

18 (a) Involves violent acts or threats specifically intended to physically harm
19 human life and:

20 [1] Intimidate, coerce, influence, or disrupt other lawful activity within
21 the state; or

22 [2] Influence the policy of the state or any political subdivision of the
23 state; or

24 (b) Involves the use of weapons of mass destruction.

- 1 b. "Material support or resources" means currency or other financial securities,
2 financial services, lodging, safe houses, training, false documentation or
3 identification, communications equipment, facilities, weapons, lethal substances,
4 explosives, personnel, transportation, and other physical assets. The term does
5 not include medical or religious material.
- 6 2. A person is guilty of a class C felony if the person willfully:
- 7 a. Assembles with one or more persons for the purpose of training or instructing in
8 the use of, or practicing with, any technique or means capable of causing
9 property damage, or bodily injury or death, with the intent to employ such
10 training, instruction, or practice in the commission of domestic terrorism;
- 11 b. Commits an act of domestic terrorism;
- 12 c. Conspires with one or more persons to commit an act of domestic terrorism; or
- 13 d. Provides material support or resources, or conceals or disguises the nature,
14 location, source, or ownership of material support or resources, with the
15 knowledge and intention that the support or resources are to be used in domestic
16 terrorism.

17 **SECTION 2.** Section 29-04-01.1 of the North Dakota Century Code is created and enacted
18 as follows:

19 **29-04-01.1. Prosecution for domestic terrorism not limited.**

20 There is no limitation of the time within which a prosecution for domestic terrorism must be
21 commenced.

22 **SECTION 3. AMENDMENT.** Section 29-04-02 of the North Dakota Century Code is
23 amended and reenacted as follows:

24 **29-04-02. Prosecution for felony other than murder or domestic terrorism within three**
25 **years.**

26 Except as otherwise provided by law, a prosecution for any felony other than murder or
27 domestic terrorism must be commenced within three years after its commission. Prosecution of
28 felony offenses under chapter 12.1-23 or 50-24.8 must be commenced within the later of three
29 years of commission of the last act that is an element of the offense, three years of discovery of
30 the stolen property, or three years of discovery of the loss of the property or services. Nothing in

- 1 this section prevents a person prosecuted for murder or domestic terrorism from being found
- 2 guilty of any included offense and punished accordingly.

3 **SECTION 4. EMERGENCY.** This Act is declared to be an emergency measure.