Sixty-ninth Legislative Assembly of North Dakota In Regular Session Commencing Tuesday, January 7, 2025

HOUSE BILL NO. 1134 (Representatives Heilman, Henderson, Hoverson, S. Olson, D. Johnston, Wolff, VanWinkle) (Senators Cory, Paulson)

AN ACT to amend and reenact section 12.1-17-07 of the North Dakota Century Code, relating to harassment of another.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 12.1-17-07 of the North Dakota Century Code is amended and reenacted as follows:

12.1-17-07. Harassment.

- 1. A person is guilty of an offense if, with intent to frighten or harass another, the person:
 - a. Communicates in writing or by electronic communication a threat to inflict injury on any person, to any person's reputation, or to any property;
 - b. Makes a telephone call anonymously or in offensively coarse language;
 - c. Makes repeated telephone calls or other electronic communication, whether or not a conversation ensues, with no purpose of legitimate communication; or
 - d. Communicates a falsehood in writing or by electronic communication and causes mental anguish; or
 - e. Communicates in writing, by electronic communication, or by electronically publishing, posting, or otherwise disclosing information to a public internet site or public forum an individual's personal identifying information.
- 2. The offense is a class A misdemeanor if it is under subdivision a <u>or e</u> of subsection 1 or subsection 4. Otherwise it is a class B misdemeanor.
- 3. Any offense defined herein and committed by use of electronic communication may be deemed to have been committed at either the place at which the electronic communication was made or at the place where the electronic communication was received.
- 4. A person is guilty of an offense if the person initiates communication with a 911 emergency line, public safety answering point, or an emergency responder communication system with the intent to annoy or harass another person or a public safety agency or who makes a false report to a public safety agency.
 - a. Intent to annoy or harass is established by proof of one or more calls with no legitimate emergency purpose.
 - b. Upon conviction of a violation of this subsection, a person is also liable for all costs incurred by any unnecessary emergency response.
- 5. Any offense defined herein is deemed communicated in writing if it is transmitted electronically, by electronic mail, facsimile, or other similar means. Electronic communication means transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo-electronic, or photo-optical system.

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	Speaker of the House			President of the Senate	
	Chief C	Clerk of the House		Secretary of the Senate	
				sentatives of the Sixtyody as House Bill No. 1	
House Vote:	Yeas 90	Nays 2	Absent 2		
Senate Vote:	Yeas 47	Nays 0	Absent 0		
				Chief Clerk of the H	ouse
Received by the Governor atM. on					, 2025.
Approved atM. on					, 2025.
				Governor	
Filed in this offi	ice this	day of			, 2025,
	clock				
				Connectors of Chair-	
				Secretary of State	