

**FIRST ENGROSSMENT**

**ENGROSSED SENATE BILL NO. 2184**

Introduced by

Senators Clemens, Boehm

Representatives K. Anderson, Frelich, D. Ruby

1 A BILL for an Act to amend and reenact section 14-09-06.5 of the North Dakota Century Code,  
2 relating to additional parenting time after a false allegation of harm to a child.

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

4 **SECTION 1. AMENDMENT.** Section 14-09-06.5 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **14-09-06.5. Allegation of harm to child - Effect.**

7 1. If the court finds that an allegation of harm to a child by one parent against the other is  
8 false and not made in good faith, the court shall order the parent making the false  
9 allegation to pay court costs and reasonable attorney's fees incurred by the other  
10 parent in responding to the allegation.

11 2. Unless a party shows by clear and convincing evidence that additional parenting time  
12 should not be ordered, if the court finds an allegation of harm to a child by one parent  
13 against the other is false and not made in good faith, a court shall order additional  
14 parenting time to the parent responding to the false allegation to indemnify that parent  
15 for any denial of court-ordered parenting time that resulted from an investigation by the  
16 department of health and human services, or a governmental agency in another state  
17 with authority to investigate an allegation of harm to a child, which did not result in a  
18 finding of harm, abuse, or neglect.

19 3. The additional parenting time:

20 a. Must be of the same type and duration of parenting time that was denied;

21 b. May include weekend, holiday, and summer parenting time; and

- 1           c. Must occur within two years of the date the court finds the allegation was false  
2           and not made in good faith.
- 3        4. A court shall give deference to the proposed additional parenting time schedule of the  
4        parent entitled to additional parenting time under subsection 2 when determining the  
5        schedule of the additional parenting time subject to subsection 3.