

**HOUSE BILL NO. 1247**

Introduced by

Representatives D. Johnston, Bolinske, Frelich, Heilman, K. Anderson, Steiner, Wolff,  
VanWinkle

Senators Myrdal, Wobbema, Paulson, Cory

1 A BILL for an Act to create and enact a new section to chapter 15.1-19 of the North Dakota  
2 Century Code, relating to protection of a student victim of sexual assault.

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

4 **SECTION 1.** A new section to chapter 15.1-19 of the North Dakota Century Code is created  
5 and enacted as follows:

6 **Student sexual assault - Victim protection.**

7 1. As used in this section:

8 a. "Convicted student" means a student enrolled in a school who is adjudicated or  
9 convicted of committing sexual assault upon another student enrolled in the  
10 same school.

11 b. "Sexual assault" means a nonconsensual offense under chapter 12.1-20 for  
12 which "sexual act" or "sexual contact", as defined in section 12.1-20-02, is an  
13 element.

14 2. A convicted student may not attend the same school as the victim of sexual assault  
15 committed by the convicted student.

16 3. A school shall ensure a convicted student is not present at the school by:

17 a. Expelling a convicted student;

18 b. Transferring a convicted student to an alternative education program, which may  
19 include virtual education; or

20 c. Transferring a convicted student to another school.

21 4. Upon adjudication or conviction of a convicted student, a court shall provide the school  
22 in which the convicted student is enrolled with notice of the court's findings that are  
23 relevant under this section.