

FIRST ENGROSSMENT

ENGROSSED HOUSE BILL NO. 1458

Introduced by

Representatives Henderson, Schatz, Wolff, Maki, Morton, Rios, Frelich, VanWinkle

Senator Magrum

1 A BILL for an Act to create and enact a new section to chapter 23-12 of the North Dakota
2 Century Code, relating to releasing a self-spreading virus; and to provide a penalty.

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

4 **SECTION 1.** A new section to chapter 23-12 of the North Dakota Century Code is created
5 and enacted as follows:

6 **Releasing a self-spreading virus - Written consent required.**

7 1. As used in this section:

8 a. "Release" means any intentional act that results in the actual or potential
9 infection or transmission of, or exposure to, a self-spreading virus or bacteria.

10 b. "Self-spreading virus or bacteria" means any engineered virus or bacteria,
11 including any recombinant, attenuated or modified version of any virus or
12 bacteria, or particles or substance similar to any virus or bacteria, engineered for
13 the purpose of spreading from individual to individual.

14 2. A person may not develop, release, or take part in causing the release of any self-
15 spreading virus or bacteria without the express written consent of each individual who
16 may potentially be exposed to the self-spreading virus or bacteria.

17 3. Any person may bring an action to enjoin any violation of this section and to recover
18 actual monetary loss or five thousand dollars for each violation of this section,
19 whichever is greater.

20 4. This section does not apply to an individual who is unknowingly infected and, as a
21 result of that infection, has spread any self-spreading virus or bacteria.