

Sixty-ninth
Legislative Assembly
of North Dakota

**PROPOSED AMENDMENTS TO
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 for an Act to~~
3 ~~provide for a legislative management study regarding limiting the release of self-spreading~~
4 ~~viruses and bacteria.~~

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

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

8 ~~Releasing a self-spreading virus - Written consent required.~~

9 ~~1. As used in this section:~~

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

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

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

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

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

6 **SECTION 1. LEGISLATIVE MANAGEMENT STUDY - LIMITING THE RELEASE OF**
7 **SELF-SPREADING VIRUSES AND BACTERIA.**

- 8 1. During the 2025-26 interim, the legislative management shall consider studying
9 limiting the development and release of self-spreading viruses and bacteria. The study
10 must include:
- 11 a. A review of the persons and entities developing or releasing self-spreading
12 viruses or bacteria;
 - 13 b. The impact of the development and release of self-spreading viruses and
14 bacteria, including all available data on adverse reactions and long-term effects;
 - 15 c. Appropriate limitations and enforcement measures, including potential sanctions
16 and penalties; and
 - 17 d. Possible exceptions to the limitations.
- 18 2. The legislative management shall report its findings and recommendations, together
19 with any legislation necessary to implement the recommendations, to the seventieth
20 legislative assembly.