

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

HOUSE BILL NO. 1528
(Representatives M. Ruby, Nelson)
(Senator Klein)

AN ACT to amend and reenact sections 12.1-21-01 and 12.1-21-02 of the North Dakota Century Code, relating to arson and endangering by fire or explosion; and to provide a penalty.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 12.1-21-01 of the North Dakota Century Code is amended and reenacted as follows:

12.1-21-01. Arson.

~~A person~~

1. ~~An individual~~ is guilty of arson, a class B felony, if ~~he~~the individual starts or maintains a fire or causes an explosion with intent to destroy ~~an~~:
 - a. ~~An entire or any part of a building or inhabited structure of another or a vital public facility; or if he starts or maintains a fire or causes an explosion with intent to destroy or;~~
 - b. ~~Or damage his~~the individual's own real or personal property for the purpose of collecting insurance for the loss; ~~;~~
 - c. ~~Or damage the individual's own real property for the purpose of depriving another with a legal interest in the real property damaged or destroyed; or~~
 - d. ~~Or damage the individual's own personal property for the purpose of depriving another with a legal interest in the personal property damaged or destroyed, and the value of the personal property damaged or destroyed has a value in excess of two thousand dollars.~~
2. ~~For purposes of this section, "a legal interest" includes, a joint legal interest by joint ownership of the property, or an individual's own legal interest in property financed by another, such as a mortgage, contract, deed, or lien.~~

SECTION 2. AMENDMENT. Section 12.1-21-02 of the North Dakota Century Code is amended and reenacted as follows:

12.1-21-02. Endangering by fire or explosion.

1. ~~A person~~An individual is guilty of an offense if ~~he~~the individual intentionally starts or maintains a fire or causes an explosion and thereby recklessly:
 - a. Places another person in danger of death or bodily injury;
 - b. Places an entire or any part of a building or inhabited structure of another or a vital public facility in danger of destruction; or
 - c. Causes damage to property of another constituting pecuniary loss in excess of two thousand dollars.
2. ~~For purposes of this section, "person in danger" includes, fire department, law enforcement, and emergency medical personnel, a firefighter, and a volunteer firefighter while responding to a fire or during fire suppression efforts.~~

3. The offense is a class B felony if the actor places another person in danger of death under circumstances manifesting an extreme indifference to the value of human life. Otherwise it is a class C felony.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-ninth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1528.

House Vote: Yeas 89 Nays 0 Absent 5

Senate Vote: Yeas 45 Nays 0 Absent 2

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2025.

Approved at _____ M. on _____, 2025.

Governor

Filed in this office this _____ day of _____, 2025,

at _____ o'clock _____ M.

Secretary of State