

2021 HOUSE JUDICIARY

HB 1270

2021 HOUSE STANDING COMMITTEE MINUTES

Judiciary

Room JW327B, State Capitol

HB 1270

2/1/2021

Relating to surreptitious intrusion and interference with privacy; and to provide a penalty.
--

Chairman Klemin called the hearing to order at 11:14 AM.

Present: Representatives Klemin, Karls, Becker, Buffalo, Christensen, Cory, K Hanson, Jones, Magrum, Paulson, Paur, Roers Jones, Satrom, and Vetter.

Discussion Topics:

- Rural rights to privacy
- Definition of terms of privacy rights

Rep. Becker: Introduced the bill. Co-sponsor of the bill.

Pete Hanebutt, ND Farm Bureau: testimony in favor.

Aaron Burst: ND Association of Counties: testimony in opposition 11:23

Dustin Olson, Lieutenant with Burleigh County: Testimony #4562

Tommy Kenville, Isight Drone Services: Testimony #4279 11:31

Jesse Johner, Cass County Sheriff's Office: Testimony #4427 11:37

Beau Bateman, Farmer in Grand Forks County: Testimony #4432 11:47

Chris Mailke, Geologist for Dept. of Mineral Resources: Testimony #3083

Terry Effertz, ND Peace Officers Association: Testimony in opposition.

Stephanie Dassinger, ND Chief of Police Officers Association: Testimony in opposition.

Additional written testimony: 3197, 3246, 3319, 3326, 4251

Chairman Klemin closed the hearing at 12:00.

DeLores D. Shimek
Committee Clerk



BURLEIGH COUNTY SHERIFF'S DEPARTMENT

KELLY LEBEN
SHERIFF

Testimony provided for: House Judiciary

By: Dustin Olson, Lieutenant, Burleigh County Sheriff's Department

My name is Dustin Olson and I am a Lieutenant with the Burleigh County Sheriff's Department. I oversee the Enforcement Division which includes our Patrol and Investigation Sections. I come here today in opposition to House Bill (HB) 1270.

The Burleigh County Sheriff's Department is opposed to HB 1270 because of the difficulties it will create for our deputies while in the course of their official duties. It is common for the Burleigh County Sheriff's Department to receive anonymous tips of criminal activity, as it is for other Law Enforcement (LE) personnel across the state. A common practice utilized by the Burleigh County Sheriff's Department and LE is to conduct surveillance. This is done to help verify or dismiss the information received in the anonymous tip. If HB 1270 were to pass, LE will be limited on how to verify that information and further a criminal case if warranted.

Adding an exemption that states "Law enforcement in the performance of their official duties" may correct this concern. Without that exemption, I ask that you oppose HB 1270 and recommend a do not pass from the House Judiciary Committee.

Dustin Olson

HOUSE

Thayer • PO Box 1416

Bismarck, ND 58502-1416

P 701-222-6651 • F 701-221-6899

www.facebook.com/BurleighCountySheriffsDepartment

**BURLEIGH MORTON
DETENTION CENTER**

4000 Apple Creek Road • PO Box 2499

Bismarck, ND 58502-2499

P 701-255-3113 • F 701-258-5319



Chairman Klemin and member of the committee,

Thank you for allowing me to testify against HB 1270. My name is Tommy Kenville and I am majority owner of Isight Drone Services with offices in Watford City, Fargo and Grand Forks that employs 23 people to date and growing. North Dakota is a world leader in the drone industry as well as many other tech industries. As I review this bill, it seems similar to bill that have been defeated the last three or four sessions. I am against this bill as it is skirting around the privacy issues without saying that and will negatively affect many tech industries including the drone industry which our state has invested heavily in the past 10 years. The drone industry has created south of 1000 jobs around the state in the last 10 years, these jobs are high paying and high tech.

Our federal and state government already have rules in place that protects ND citizens. We have our personal rights protected and this type of bill would only create more red tape.

Everyone is concerned about personal rights and I am as well, I believe privacy has been gone for many years and it is good people do good things and bad people do bad things regardless of rules.

Please accept this testimony from a North Dakota entrepreneur who is creating jobs around the state in technology and cannot continue to do so if laws like these are implemented.

Thank you for your time and for serving in public office for this great state, Please DO NOT PASS on HB 1270

Regards,

Tommy Kenville CEO | Rainmaker
Isight Drone Services |
5515 University Ave
Grand Forks ND 58203
+1 (218) 779-9950
Tommy@isightdrones.com | www.isightdrones.com

House Bill 1270

My name is Jesse Jahner, and I am the Elected Sheriff of Cass County, North Dakota. I have worked with the Cass County Sheriff's Office for 22 years. I currently sit as a board member on the North Dakota Peace Officer and Standards Training Board (POST), Crime Victim Services Board, and am the Vice-Chair of the Dakota Territories Sheriff's Association. I write in strong opposition to House Bill 1270. House Bill 1270 would pose extreme challenges to how law enforcement conducts criminal investigations to include narcotic investigations, human trafficking investigations, domestic violence investigations, and murder investigations. The bill also causes problems with one-party consent and will pose difficulties for law enforcement and its ability to use body cameras. Regular sex offender checks by law enforcement will become extremely difficult or nonexistent. Finally, the bill will make it hard for law enforcement to plan out and execute high-risk law enforcement search warrants in a safe manner to protect the public.

Surreptitious Intrusion already exists in North Dakota Century Code. The amendment adds particular equipment and tactics typically used by law enforcement or private investigators. This seems to be specifically drafted to limit law enforcement's ability to conduct criminal investigations and provide public safety. Law enforcement does not use the tools or practices listed in this bill unless they have information that a person or residence is suspected of, or it is known that an individual is involved in criminal activity. The other reason law enforcement may use these tools is to perform well-being checks.

The Fourth Amendment to the United States Constitution already protects our citizens against unreasonable search and seizures. Also, this bill conflicts with North Dakota Century Code on the duties of the

Sheriff. North Dakota Century Code states that the Sheriff's responsibilities include serving civil process papers and serving arrest warrants, to name a few. If this bill is approved, public safety and the ability to locate, interview, and solve these cases will be extremely difficult. Some may wonder why we would not get a search warrant. A search warrant can only be obtained by developing probable cause, not through reasonable suspicion. Here are examples of the limits this bill would put on law enforcement.

- During narcotic investigations - surveillance is done to corroborate information, gather additional information through photographs, video, and sometimes audio to achieve probable cause. This bill would eliminate that.

- During Human Trafficking Cases - surveillance is done to corroborate information, gather additional information through photographs, video, and sometimes audio to achieve probable cause. This bill would eliminate that.

- Conducting sex offender checks - surveillance is done to corroborate information, gather additional information through photographs, video and sometimes audio to keep track of a sex offender's whereabouts and make sure they are residing at their reported address.

- To use body cameras on private property, law enforcement would have to ask for permission while called to an address to investigate criminal activity. At that point, in most cases, the suspect would probably tell them no.

- Duties of the Sheriff, serving civil process papers – Deputies usually conduct surveillance and observe on to properties to determine if the person they are looking for resides at the address. They would no

longer be able to do this based on this bill. They could not get a search warrant as it would not meet probable cause. The Cass County Sheriff's Office alone serves approximately 10,000 civil actions per year.

-Duties of the Sheriff, serving arrest warrants – Deputies usually conduct surveillance and observe on to properties to determine if the person they are looking for resides at the address. They would no longer be able to do this based on this bill, and they could not get a search warrant as it would not meet probable cause unless they physically see the individual on the property. The Cass County Sheriff's Office alone serves approximately 4,500 arrest warrants per year.

-Law Enforcement Agencies typically conduct surveillance, take photographs, conduct video surveillance to put together operational plans to execute high risk, high potential for violence, search warrants. This is done to protect the surrounding citizens, suspects, and officers. This would be a huge public safety issue.

-If a well-being check is reported to law enforcement by a family member who doesn't live on the property or in the area and wants law enforcement to check on the individual, upon arriving at the address if we were unable to get the individual to come to the door we could not investigate the activity further by observing or surveilling the property. Law enforcement would have to leave.

-Murder Investigations – law enforcement could not surveil, observe, take photographs, or video a murder suspect's property while trying to gather evidence to obtain probable cause to get a search warrant. If the suspect agreed to be interviewed on their property, we would have to tell them that we were audio recording them, at which point they would probably not provide a statement.

These are just a few examples of many where law enforcement's hands would be tied with this bill. I respectfully ask that this bill does not move forward in order to allow law enforcement the opportunity to investigate criminal activity and to continue to provide public safety to our citizens.

Respectfully,

Jesse Jahner

Cass County Sheriff

Testimony on House Bill 1270
House Judiciary Committee

26 January, 2021

by: Beau Bateman

Chairman Klemin and members of the committee, my name is Beau Bateman and I am a farmer from Grand Forks County. I appreciate this opportunity to express my opposition to HB 1270 from my perspective as a farmer, as the former Chair of the ND and MN Sugarbeet Research Committee, and as the current Chair of Brenna Township (directly west of Grand Forks).

While I applaud the effort to address private individual and property rights in the face of advancing technology; I am concerned that the language used in the amendment is indeterminate and difficult to enforce.

Farmers consult the International Water Institute Lidar data from the Red River Valley to understand water flow using the system's elevation profile on land they haven't already mapped with their own tractors. This is an open-access program providing "uninvited" surveilled data of private property that is protected by NDCC 29-29.4, but this type of data could be challenged by HB 1270.

Minnesota intrusion/privacy language is near identical to North Dakota, and that consistency provided our beet research board with the confidence to fund projects with NDSU as well as the U of M, knowing the data would be collected similarly. The use of multi-spectral or hyper-spectral data to analyze the spread of plant pests can only happen if the cameras can point downward over large, contiguous acreage. It appears HB 1270 would permit challenges by landowners who feel their privacy is being intruded, that the imagery is "unwelcomed".

Our township was approached by NDSU, in conjunction with the National Weather Service, to participate in airplane-based, Lidar estimations of snow moisture content to provide data for spring flood modeling. We obtained all landowner's permission in the flight path, for several years. However, it was a challenge to squeeze many miles of linear flight together without intersecting numerous farmsteads and rural homes. A single objection would force relocation.

With over 1,000 land-sensing satellites in orbit, existing surveillance is vast and international. Our own state benefits from the clarity of our skies, and the clarity of our rules. To clutter our codes with laws that are subjective and vague, would be to hobble North Dakota's tech advantage at a time we are leading this international race for deep, environmental data.

Chairman Klemin and members of the Committee, thank you for the opportunity to share some observations, and thank you for your work on behalf of all North Dakotans.

House Bill 1270
House Judiciary Committee
January 26, 2021

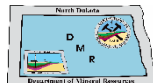
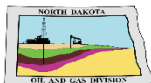
#3083

Comments of Christopher Maike, Geologist
Department of Mineral Resources

I am opposed to House Bill 1270 in its present form because I am concerned that state employees performing duties pursuant to their agency's mission may indirectly photograph a person and/or property and be subject to the proposed penalties.

DMR Oil and Gas Division field inspectors and Geological Survey geologists routinely take photographs in the field to document their observations. These include thousands of photographs taken from the ground as well as thousands of photographs taken by DMR drones. The DMR has five drones and nine licensed drone pilots. Items routinely photographed include:

- Landslides
- Rock outcrops and landforms
- Fossils
- Oil and gas well pad reclamation
- Pipeline corridors
- Flooding of oil and gas infrastructure



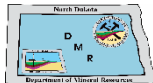
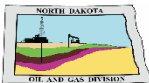
House Bill 1270

House Judiciary Committee

January 26, 2021

12.1-31-14. Surreptitious intrusion or interference with privacy.

3. An individual is guilty of a class B misdemeanor if, with intent to intrude upon or interfere with the privacy of another, the individual:
- a. Surreptitiously, through the use of any device, surveils, observes, photographs, or records by audio, video, thermal, infrared, or other imaging technology, the private property of another at or in a place where a reasonable individual would have an expectation of privacy.
 - b. Surreptitiously, through the use of any device, surveils, observes, photographs, or records by audio, video, thermal, infrared, or other imaging technology, an individual at or in a place where a reasonable individual would have an expectation of privacy.



House Bill 1270

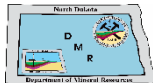
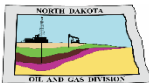
House Judiciary Committee

January 26, 2021

Proposed Amendment:

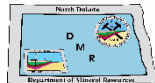
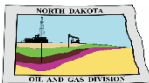
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 - b. Surreptitiously, through the use of any device, surveils, observes, photographs, or records by audio, video, thermal, infrared, or other imaging technology, an individual at or in a place where a reasonable individual would have an expectation of privacy.
 - c. Employees and agents of a public agency of the state performing tasks within the scope of the agency's responsibilities and authority are not subjected to the constraints of this section.



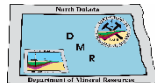
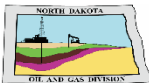
Davis Buttes Photograph (August 1987)

Davis Buttes, northeast of Dickinson in the background. Impossible not to photograph farmsteads and homes in the foreground. Individuals and private property may be indirectly captured in these landform photographs.



Flood Impacting Well-Pad near confluence of the Missouri and Yellowstone Rivers (March 2019)

Oil & Gas Division inspectors utilize drones in a variety of ways, including inspecting well-pads during natural disasters, such as floods. We had to take up close and distant photographs of this well site in order to monitor the floodwaters which required us to indirectly include this home.





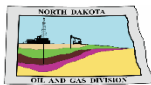
Landslide Impacting I-94 Valley City (August 2017)

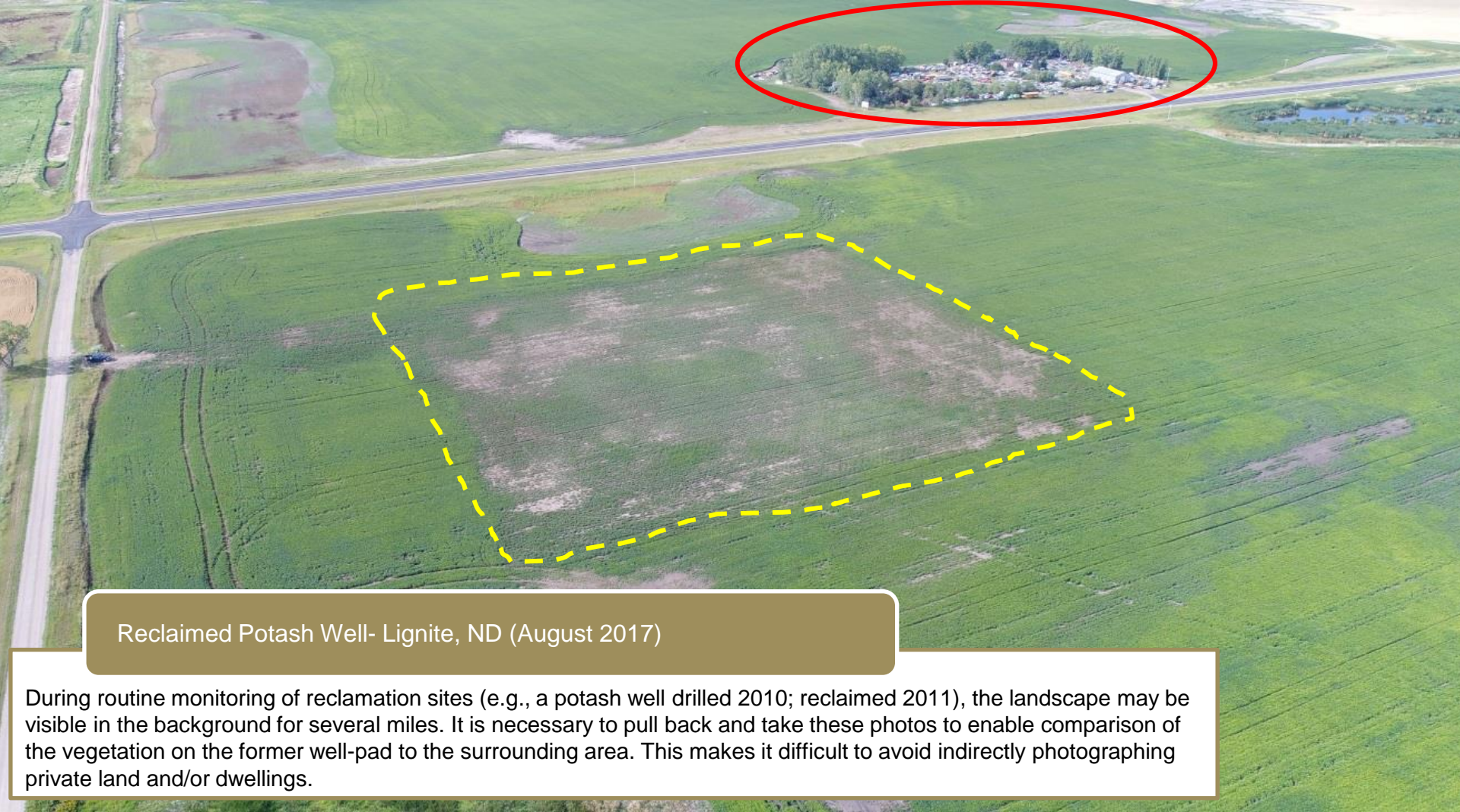
There are landslides that are impacting I-94 in Valley City. The photo, while directed at the landslide features, may still indirectly photograph individuals and/or private property. These large-scale photos are necessary for geologists to see and understand the whole feature and to provide context on the impacts to the area.



Landslide River Road-North of Bismarck- Burleigh County (December 2019)

- Drone photographs of these homes are unavoidable in North Bismarck but is also needed to look at their proximity to the landslide and the hillslope in this area. While capturing a photo of the landslide, nearby homes and individuals may be indirectly captured.





Reclaimed Potash Well- Lignite, ND (August 2017)

During routine monitoring of reclamation sites (e.g., a potash well drilled 2010; reclaimed 2011), the landscape may be visible in the background for several miles. It is necessary to pull back and take these photos to enable comparison of the vegetation on the former well-pad to the surrounding area. This makes it difficult to avoid indirectly photographing private land and/or dwellings.

Written Testimony

Regarding: HB-1270

To: North Dakota House Judiciary Committee

From: Dustin J. Stuber

Honorable House Judiciary Committee Members,

My name is Dustin J. Stuber, a rancher from Stark County and life long North Dakotan. I am writing to you today regarding House Bill 1270. HB 1270 amends NDCC Section 12.1-31-14, informally referenced as the “Peeping Tom” law.

Over the last 20 years technological advances have affected almost every element of our lives and have required us to constantly adjust to these advancements. The days of a Peeping Tom gazing through a window at night, however still possible, can now be replaced with an intruder equipped with thermal, infrared, night-vision or aerial camera that can be purchased at your local sporting goods store and be used to intrude or interfere with the privacy of another. For instance, the smartphone located in your pocket can easily be outfitted with a professional grade thermal camera capability once only imaginable in a James Bond film. Since these intrusions are possible without physically trespassing or breaking and entering the victim’s property or home, the need for expanded privacy laws are justified. The possibilities of intrusions with these gadgets are profound and serious but we remain governed by laws that mostly cover peeking through windows.

After reviewing HB 1270, I believe that this amendment brings our current Peeping Tom laws into the 21st century. This will create a safer environment for the citizens of North Dakota. The protection of privacy and reputation should be defended without regard. For these reasons I ask for your support of the HB 1270 in its current form.

Thank you for your service to the people of North Dakota.

Sincerely,

Dustin J. Stuber
Dickinson, ND 58601

Chairman Klemin and member of the committee,

Thank you for allowing me to testify against HB 1270. My name is Tommy Kenville and I am majority owner of Isight Drone Services with offices in Watford City, Fargo and Grand Forks. As I review this bill, it seems similar to bill that have been defeated the last three or four sessions. I am against this bill as it is skirting around the privacy issues without saying that and will negatively affect many tech industries including the drone industry which our state has invested heavily in the past 10 years. The drone industry has created a great number of high paying jobs around the state.

Our federal and state government already have rules in place that protects ND citizens. We have our personal rights protected and this type of bill would only create more red tape.

Everyone is concerned about personal rights and I am as well, I believe privacy has been gone since the internet was activated, but that is just my opinion.

Please accept this testimony from a North Dakota entrepreneur who is creating jobs around the state in technology and cannot continue to do so if laws like these are implemented.

Thank you for your time and for serving in public office for this great state, Please DO NOT PASS on HB 1270

Regards,

Tommy Kenville CEO | Rainmaker
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Grand Forks ND 58203
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Testimony on House Bill 1270
House Judiciary Committee

26 January, 2021

by: Beau Bateman

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House Bill 1270

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Sheriff. North Dakota Century Code states that the Sheriff's responsibilities include serving civil process papers and serving arrest warrants, to name a few. If this bill is approved, public safety and the ability to locate, interview, and solve these cases will be extremely difficult. Some may wonder why we would not get a search warrant. A search warrant can only be obtained by developing probable cause, not through reasonable suspicion. Here are examples of the limits this bill would put on law enforcement.

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longer be able to do this based on this bill. They could not get a search warrant as it would not meet probable cause. The Cass County Sheriff's Office alone serves approximately 10,000 civil actions per year.

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-If a well-being check is reported to law enforcement by a family member who doesn't live on the property or in the area and wants law enforcement to check on the individual, upon arriving at the address if we were unable to get the individual to come to the door we could not investigate the activity further by observing or surveilling the property. Law enforcement would have to leave.

-Murder Investigations – law enforcement could not surveil, observe, take photographs, or video a murder suspect's property while trying to gather evidence to obtain probable cause to get a search warrant. If the suspect agreed to be interviewed on their property, we would have to tell them that we were audio recording them, at which point they would probably not provide a statement.

These are just a few examples of many where law enforcement's hands would be tied with this bill. I respectfully ask that this bill does not move forward in order to allow law enforcement the opportunity to investigate criminal activity and to continue to provide public safety to our citizens.

Respectfully,

Jesse Jahner

Cass County Sheriff



House Judiciary Committee
Testimony on HB 1270

North Dakota Game and Fish Department
Scott Winkelman, Chief Game Warden
February 1, 2021

Chairman Klemin, Vice Chair Karls and members of the House Judiciary Committee, my name is Scott Winkelman, Chief Game Warden of the North Dakota Game and Fish Department. I am providing testimony today in opposition of HB 1270.

HB 1270 would add new language to existing state law regarding surreptitious intrusion that would create challenges and uncertainty for law enforcement, including state game wardens, regarding the use of any device to surveil, observe, photograph, or record by audio or video during the course of their official duties. This restriction would be an extreme hinderance for the completion of successful law enforcement actions including properly documenting evidence for criminal prosecution and would compromise the safety of law enforcement officers and the public. In certain situations, state game wardens would no longer be able to use basic equipment such as binoculars, spotting scopes, and cameras in the course of their duties for observing hunters, anglers, and trappers for the purpose of documenting violations of state law. It is vitally important that state game wardens and other law enforcement officers be able to use this equipment to enforce state laws that protect the wildlife of the State of North Dakota and provide public safety.

The Fourth Amendment to the United States Constitution and numerous other state and federal laws already protect the citizens of North Dakota from unreasonable search and seizure by law enforcement. Passing HB 1270 will only restrict the tools that law enforcement currently uses legally to enforce state laws and protect the public and create a tremendous amount of confusion for law enforcement officers, attorneys, and judges.

The Department respectfully requests a DO NOT PASS on HB 1270.

2021 HOUSE STANDING COMMITTEE MINUTES

Judiciary

Room JW327B, State Capitol

HB 1270

2/3/2021

Relating to surreptitious intrusion and interference with privacy; and to provide a penalty.
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Chairman Klemin called the hearing to order at 2:48 PM.

Present: Representatives Klemin, Karls, Becker, Buffalo, Christensen, Cory, K Hanson, Jones, Magrum, Paulson, Paur, Roers Jones, Satrom, and Vetter.

Discussion Topics:

- “Peeping Tom” Definition
- Penalties

Rep. Simons: Introduced the bill today. Was not available when the bill was heard Monday.

Chairman Klemin closed the meeting at 3:14.

DeLores D. Shimek
Committee Clerk

2021 HOUSE STANDING COMMITTEE MINUTES

Judiciary

Room JW327B, State Capitol

HB 1270

2/8/2021

Relating to surreptitious intrusion and interference with privacy; and to provide a penalty.

Chairman Klemin called meeting to order at 4:25PM.

Present: Representatives Klemin, Karls, Becker, Buffalo, Christensen, Cory, K Hanson, Jones, Magrum, Paulson, Paur, Roers Jones, Satrom, and Vetter.

Discussion Topics:

- Language of Section 3
- Real Estate and drone industry consequences
- Committee Work

Do Pass motion made by Rep. Magrum

Seconded by Rep. Christensen

Roll Call Vote:

Representatives	Vote
Representative Lawrence R. Klemin	N
Representative Karen Karls	N
Representative Rick Becker	Y
Representative Ruth Buffalo	N
Representative Cole Christensen	Y
Representative Claire Cory	N
Representative Karla Rose Hanson	N
Representative Terry B. Jones	Y
Representative Jeffery J. Magrum	Y
Representative Bob Paulson	Y
Representative Gary Paur	Y
Representative Shannon Roers Jones	N
Representative Bernie Satrom	N
Representative Steve Vetter	N

6-8-0 Failed

Do Not Pass Motion Made by Rep. Roers Jones

Seconded by Rep. Satrom

Roll Call Vote:

Representatives	Vote
Representative Lawrence R. Klemin	Y
Representative Karen Karls	Y
Representative Rick Becker	N
Representative Ruth Buffalo	Y
Representative Cole Christensen	N
Representative Claire Cory	Y
Representative Karla Rose Hanson	Y
Representative Terry B. Jones	N
Representative Jeffery J. Magrum	N
Representative Bob Paulson	N
Representative Gary Paur	N
Representative Shannon Roers Jones	Y
Representative Bernie Satrom	Y
Representative Steve Vetter	Y

8-6-0 **Carrier: Rep. Roers Jones**

Stopped at 4:37.

Delores Shimek
Committee Clerk

HB 1270 Reconsidered on 2-10-2021.

2021 HOUSE STANDING COMMITTEE MINUTES

Judiciary

Room JW327B, State Capitol

HB 1270

2/10/2021

Relating to surreptitious intrusion and interference with privacy; and to provide a penalty.

Chairman Klemin called the meeting at 9:35AM. Was voted a do not pass; but just held.

Present: Representatives Klemin, Karls, Becker, Buffalo, Christensen, Cory, K Hanson, Jones, Magrum, Paulson, Paur, Satrom, and Vetter. Absent: Roers Jones

Discussion Topics:

- Infraction

Motion Made to reconsider the bill by Rep. Satrom
Seconded by Rep. Christensen

Roll Call Vote:

Representatives	Vote
Representative Lawrence R. Klemin	Y
Representative Karen Karls	N
Representative Rick Becker	Y
Representative Ruth Buffalo	N
Representative Cole Christensen	Y
Representative Claire Cory	Y
Representative Karla Rose Hanson	Y
Representative Terry B. Jones	Y
Representative Jeffery J. Magrum	Y
Representative Bob Paulson	Y
Representative Gary Paur	N
Representative Shannon Roers Jones	AB
Representative Bernie Satrom	Y
Representative Steve Vetter	Y

10-3-1

Motion Made to amend; remove lines 1-10 by Rep. Christensen
Seconded by Rep. Satrom

Voice vote carried.

Do Pass As Amended motion made by Rep. Satrom
Seconded by Rep. Christensen

Roll Call Vote:

Representatives	Vote
Representative Lawrence R. Klemin	Y
Representative Karen Karls	N
Representative Rick Becker	Y
Representative Ruth Buffalo	N
Representative Cole Christensen	Y
Representative Claire Cory	Y
Representative Karla Rose Hanson	Y
Representative Terry B. Jones	Y
Representative Jeffery J. Magrum	Y
Representative Bob Paulson	Y
Representative Gary Paur	N
Representative Shannon Roers Jones	AB
Representative Bernie Satrom	Y
Representative Steve Vetter	Y

10-3-1 Carrier: Rep. Christensen

Stopped at 9:48

Delores Shimek
Committee Clerk

February 10, 2021

Dr 2/10/21
1081

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1270

Page 2, line 1, remove "An individual is guilty of a class B misdemeanor if, with intent to intrude upon or"

Page 2, remove lines 2 through 10

Page 2, line 11, remove "4."

Page 2, line 18, remove the overstrike over "4."

Page 2, line 18, remove "5."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1270: Judiciary Committee (Rep. Klemin, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HB 1270 was placed on the Sixth order on the calendar.

Page 2, line 1, remove "An individual is guilty of a class B misdemeanor if, with intent to intrude upon or"

Page 2, remove lines 2 through 10

Page 2, line 11, remove "4."

Page 2, line 18, remove the overstrike over "4."

Page 2, line 18, remove "5."

Renumber accordingly