

2021 SENATE JUDICIARY

SB 2168

2021 SENATE STANDING COMMITTEE MINUTES

Judiciary Committee Peace Garden Room, State Capitol

SB 2168
1/19/2021

A BILL for an Act to amend and reenact subsection 2 of section 15-10-17 of the North Dakota Century Code, relating to jurisdiction and authority of law enforcement officers employed by institutions of higher education.

Chairwoman Larson calls the hearing to order. Present are Chair Larson, Vice Chair Dwyer, Senators Bakke, Fors, Heitkamp, Luick, and Myrdal. [8:59]

Discussion Topics:

- Jurisdictional issues
- The ability of university police to respond to crimes

Senator Curt Kreun [9:00], District 42, introduces SB 2168.

Douglas Jensen [9:27], President of BSC, offers oral testimony in favor.

Eric Plummer [9:30], Chief of Police at UND, testifies in favor and submits testimony #1322.

Daniel Weigel [9:35], City Council Ward 1 in Grand Forks, testifies in favor and submits testimony #1435.

Additional Written Testimony:

Mike Borr, NDSU Director of University Police and Safety Office, submits testimony #1245 in opposition.

Chairman Larson [9:38] closes the public hearing.

Senator Myrdal [9:40] moved to adopt an amendment [LC 21.0709.01001]

Senator Heitkamp [9:40] seconded the motion.

Senators	Vote
Senator Diane Larson	Y
Senator Michael Dwyer	Y
Senator JoNell A. Bakke	Y
Senator Robert O. Fors	Y
Senator Jason G. Heitkamp	Y
Senator Larry Luick	Y
Senator Janne Myrdal	Y

Motion passes 7-0-0. [9:40]

Senator Myrdal [9:53] moved to DO PASS AS AMENDED.

Senator Dwyer [9:53] seconded the motion.

Senators	Vote
Senator Diane Larson	Y
Senator Michael Dwyer	Y
Senator JoNell A. Bakke	Y
Senator Robert O. Fors	N
Senator Jason G. Heitkamp	Y
Senator Larry Luick	Y
Senator Janne Myrdal	Y

Motion Passed 6-1-0. [9:53]

Senator Bakke will carry the bill.

Chairwoman Larson closes the hearing. [9:53]

Jamal Omar, Committee Clerk

January 19, 2021

1 of 1
1/19

PROPOSED AMENDMENTS TO SENATE BILL NO. 2168

Page 1, line 12, after "education" insert an underscored semicolon

Page 1, line 12, remove the overstrike over "~~and~~"

Page 1, line 12, remove the underscored semicolon

Page 1, line 16, remove "; and"

Page 1, remove line 17

Page 1, line 18, remove "jurisdictions in paragraphs 1 and 2"

Page 2, line 16, after "education" insert an underscored semicolon

Page 2, line 16, remove the overstrike over "~~and~~"

Page 2, line 16, remove the underscored semicolon

Page 2, line 20, remove "; and"

Page 2, remove line 21

Page 2, line 22, remove "jurisdictions in paragraphs 1 and 2; and"

Page 2, line 23, after "d." insert "A law enforcement officer employed by Bismarck state college has jurisdiction on:

- (1) All property owner or leased by the state board of higher education;
- (2) All property on and within the boundaries of the area delineated by the intersections of Schafer street and canary avenue, canary avenue and Edwards avenue, Edwards avenue and Schafer street, Edwards avenue and Ward road, Ward road and college drive, and college drive and Schafer street; and
- (3) Property within one thousand five hundred feet [457.2 meters] of the jurisdictions in paragraphs 1 and 2.

e. "

Page 3, line 1, overstrike "e." and insert immediately thereafter "f."

Page 3, line 5, overstrike "f." and insert immediately thereafter "g."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2168: Judiciary Committee (Sen. Larson, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2168 was placed on the Sixth order on the calendar.

21.0709.01001 Title.02000 Adopted by the Judiciary Committee January 19, 2021
PROPOSED AMENDMENTS TO SENATE BILL NO. 2168

Page 1, line 12, after "education" insert an underscored semicolon

Page 1, line 12, remove the overstrike over "and"

Page 1, line 12, remove the underscored semicolon

Page 1, line 16, remove "; and"

Page 1, remove line 17

Page 1, line 18, remove " jurisdictions in paragraphs 1 and 2"

Page 2, line 16, after "education" insert an underscored semicolon

Page 2, line 16, remove the overstrike over "and"

Page 2, line 16, remove the underscored semicolon

Page 2, line 20, remove "; and"

Page 2, remove line 21

Page 2, line 22, remove " jurisdictions in paragraphs 1 and 2; and"

Page 2, line 23, after "d." insert "A law enforcement officer employed by Bismarck state college has jurisdiction on:

(1) All property owner or leased by the state board of higher education;

(2) All property on and within the boundaries of the area delineated by the intersections of Schafer street and canary avenue, canary avenue and Edwards avenue, Edwards avenue and Schafer street, Edwards avenue and Ward road, Ward road and college drive, and college drive and Schafer street; and

(3) Property within one thousand five hundred feet [457.2 meters] of the jurisdictions in paragraphs 1 and 2. e."

Page 3, line 1, overstrike "e." and insert immediately thereafter "f."

Page 3, line 5, overstrike "f." and insert immediately thereafter "g."

Renumber accordingly

Page No. 1 21.0709.01001

January 19, 2021
Senate Judiciary Committee
Honorable Chairwoman Diane Larson

SB 2168
Support

Good morning Chairwoman Larson and members of the Judiciary Committee. I am Eric Plummer and I am the Chief of Police for the University of North Dakota. Today I will be speaking in regards to Senate Bill 2168.

This legislation seeks to provide a remedy for issues which we have experienced along streets that border University of North Dakota property. For example, if one of our officers conducts a traffic stop for a law violation on University Ave at North 42nd Street, which is bordered on three sides by UND property, and the person simply turns into the Loaf & Jug parking lot, our officers have no authority to conduct an investigation into a crime which may arise out of that lawful stop (i.e., Driving Under the Influence, Assault, Drugs). There are similar issues with the other streets which border campus and are defined as our jurisdictional boundaries within Century Code.

These issues go beyond just traffic stops, but also violent crimes which may occur at these same locations across the street from UND property. An example of this would be at the same location, if the convenience store was robbed we would have no legal authority to act in response to the commission of this crime even though our officers are in the immediate area.

This legislation does not seek to expand the current jurisdiction of University Police Department, but it is to provide for a buffer to the current identified jurisdiction to address these concerns. This change would mirror the jurisdictional buffer provided to city police departments (1.5 miles from city limits) and county sheriff's offices (1,500 feet from county lines). These buffers were enacted to solve similar problems which were experienced by those agencies.

This legislation also seeks to change the term "hot pursuit" to the term "fresh pursuit," which is defined in N.D.C.C. 29-06-07 and often found within applicable case law regarding jurisdiction (i.e., United States v. Benitez, No. 06-3763 (8th Cir. 2008)). This would provide consistency within the established law.

Thank you Chairwoman Larson and members of the Judiciary Committee for your time today, for your service to the state, and for your continued support of the law enforcement community.

Chairwoman Larson & Members of the Committee,

I would like to say thank you for the opportunity to provide the committee with testimony regarding Senate Bill 2168. I come before you as a member of the Grand Forks City Council representing the wonderful citizens of Ward 1, which also encompasses a large portion of the University of North Dakota campus. I would also like to inform you that I do work full time as the Investigations Commander for the University of North Dakota Police Department but am speaking on behalf of my role as a council member.

As an elected official who happens to work in law enforcement, I often see how the policies and laws that we put in place have an impact on the communities we represent. I often ask myself is this policy good for the community and in this particular case will it have an impact on making the community safer.

I truly believe that Senate Bill 2168 does both by addressing concerns from recent court decisions regarding impaired drivers (and other type of crimes) that happen to turn a few feet outside the outlined jurisdiction. This bill also addresses any safety concerns that university and community members may have on property that happens to be right next door to the university campus. Contrary to what some may say, this bill doesn't expand jurisdiction for UND Police Officers it only affords them the ability to enhance the safety of students and community members near the University of North Dakota.

I would like to provide you with an example of how UND Police Officers must handle situations that might be as little as 2 feet outside of the boundaries set forth. Loaf and Jug Gas station is located at the corner of University and North 42nd Street. Currently the UND Police Department has the authority to enforce state law on property located at 3 of the 4 corners of that intersection. In September of 2019, two masked men entered the Loaf and Jug Gas station, that is often frequented by UND students, and robbed the store at gun point. Officers from the UND Police Department were the first to arrive on scene due to the close proximity to the UND campus. In this situation, Officers from the UND Police Department must contact Grand Forks Central Dispatch to ask if the Grand Forks Police Department would like to request mutual aid for them to assist. Grand Forks Central Dispatchers then would contact the on duty Grand Forks Police Department Sergeant and inform him of the situation. The Grand Forks Police Department Sergeant would then say yes or no for the mutual aid request. At that point the dispatcher would then inform UND Police Officers of the decision. This process could take anywhere from 30 seconds to a minute and a half or more all while leaving a victim waiting on law enforcement officers that could be seconds away ready to act. Officers acting without the authority could have significant liability concerns.

This is just one example of how a small change to current law could have a big impact on the safety and well-being of the UND and Grand Forks Communities. I appreciate your time regarding this bill and would stand for any questions the committee may have.

Councilman Danny Weigel
Grand Forks City Council
701-330-0317

Senate Judiciary Committee
Senate Bill 2168
Testimony of Mike Borr, Director, UPSO, NDSU

For the record my name is Mike Borr, Director of University Police and Safety Office at North Dakota State University. I am writing today in opposition of the jurisdictional changes identified in Senate Bill 2168.

North Dakota State University has a number of concerns and questions with the bill before you today as currently written containing the suggested expansion of jurisdictional areas for our campus by establishing a 1500 foot expanded perimeter to current jurisdiction. They are as follows:

The jurisdiction extents which were established previously during the 65th Legislative Assembly are ideal for our law enforcement purposes and providing service and support for our campus community. We are not in support of changing this boundary.

The current jurisdiction provides a clear delineation of the boundaries to patrol jurisdiction. This clarity dissolves when a stipulation of 1500 feet beyond a specific geographic limit is made.

An extended boundary to our jurisdiction would add a number of additional bars, restaurants and other commercial establishments as well as significant residential areas within the city of Fargo. This is particularly the case for our downtown academic buildings.

We have a good working relationship with the other local law enforcement agencies and don't wish to jeopardize those relationships.

We feel our students are best served by the current jurisdictional boundaries. We see no substantial benefit to expanding it further.

Thank you for your consideration.

2021 HOUSE JUDICIARY

SB 2168

2021 HOUSE STANDING COMMITTEE MINUTES

Judiciary

Room JW327B, State Capitol

SB 2168

3/15/2021

Relating to jurisdiction and authority of law enforcement officers employed by institutions of higher education.

Chairman Klemin called the hearing to order at 10:00 AM.

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

Discussion Topics:

- Jurisdiction
- Police officer role
- Buffer zone
- Hot pursuit

Senator Kreun: Introduced the bill. 10:00

Danny Weigel, Grand Forks City Council: Testimony # 9065 10:38

Tracy Meidinger, UND Police Chief: Testimony # 9068 11:03

Rep. Vetter: Testimony #9192 11:11

Chairman Klemin closed the hearing at 11:20

Additional Testimony: 9022

DeLores D. Shimek
Committee Clerk

Chairman Klemin & Members of the Committee,

I would like to say thank you for the opportunity to provide the committee with testimony regarding Senate Bill 2168. I come before you as a member of the Grand Forks City Council representing the wonderful citizens of Ward 1, which also encompasses a large portion of the University of North Dakota campus. I would also like to inform you that I do work full time as the Investigations Commander for the University of North Dakota Police Department but am speaking on behalf of my role as a council member.

As an elected official who happens to work in law enforcement, I often see how the policies and laws that we put in place have an impact on the communities we represent. I often ask myself is this policy good for the community and in this particular case will it have an impact on making the community safer.

I truly believe that Senate Bill 2168 does both by addressing concerns from recent court decisions regarding impaired drivers (and other type of crimes) that happen to turn a few feet outside the outlined jurisdiction. This bill also addresses any safety concerns that university and community members may have on property that happens to be right next door to the university campus. Contrary to what some may say, this bill doesn't expand jurisdiction for UND Police Officers it only affords them the ability to enhance the safety of students and community members near the University of North Dakota.

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This is just one example of how a small change to current law could have a big impact on the safety and well-being of the UND and Grand Forks Communities. I appreciate your time regarding this bill and would stand for any questions the committee may have.

Councilman Danny Weigel
Grand Forks City Council
701-330-0317

March 14, 2021 SB 2168 Senate Judiciary Committee **Support**

Honorable Chairman Lawrence Klemin,

Good morning Chairman Klemin and members of the Judiciary Committee. I am Tracy Meidinger and I am currently serving as the Interim Chief of Police for the University of North Dakota. Today I will be speaking in regards to Senate Bill 2168.

This legislation seeks to provide a remedy for issues which we have experienced along streets that border University of North Dakota property. For example, if one of our officers conducts a traffic stop for a law violation on University Ave at North 42nd Street, which is bordered on three sides by UND property, and the person simply turns into the Loaf & Jug parking lot, our officers have no authority to conduct an investigation into a crime which may arise out of that lawful stop (i.e., Driving Under the Influence, Assault, Drugs). There are similar issues with the other streets which border campus and are defined as our jurisdictional boundaries within Century Code.

These issues go beyond just traffic stops, but also violent crimes which may occur at these same locations across the street from UND property. An example of this would be at the same location, if the convenience store was robbed, we would have no legal authority to act in response to the commission of this crime even though our officers are in the immediate area.

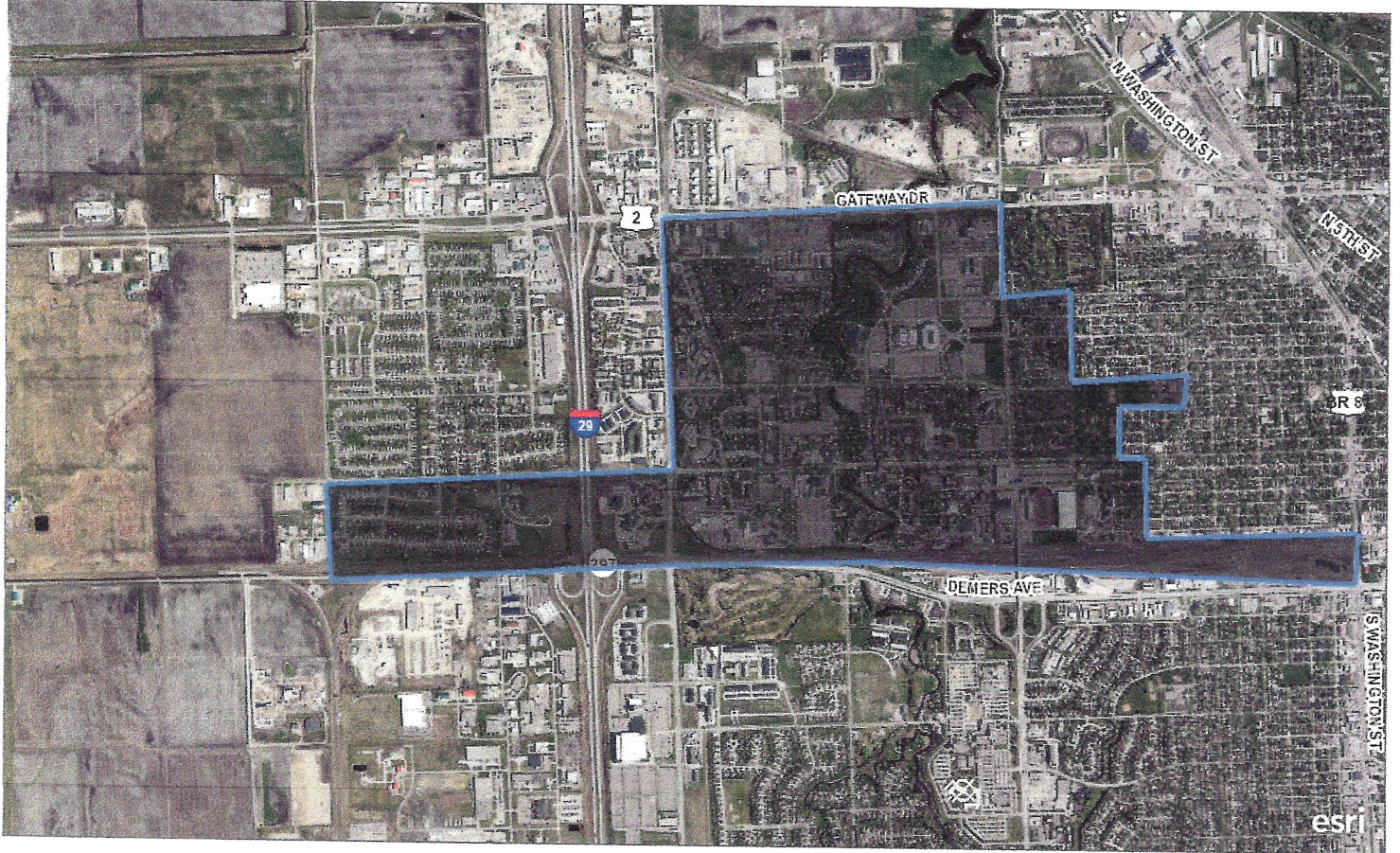
This legislation does not seek to expand the current jurisdiction of the University Police Department, but it is to provide for a buffer to the current identified jurisdiction to address these concerns. This change would mirror the jurisdictional buffer provided to city police departments (1.5 miles from city limits) and county sheriff's offices (1,500 feet from county lines). These buffers were enacted to solve similar problems which were experienced by those agencies.

This legislation also seeks to change the term "hot pursuit" to the term "fresh pursuit," which is defined in N.D.C.C. 29-06-07 and often found within applicable case law regarding jurisdiction (i.e., United States v. Benitez, No. 06-3763 (8th Cir. 2008)). This would provide consistency within the established law.

Thank you, Chairman Klemin and members of the Judiciary Committee for your time today, for your service to the state, and for your continued support of the law enforcement community.

Tracy Meidinger
Interim Chief of Police
University of North Dakota

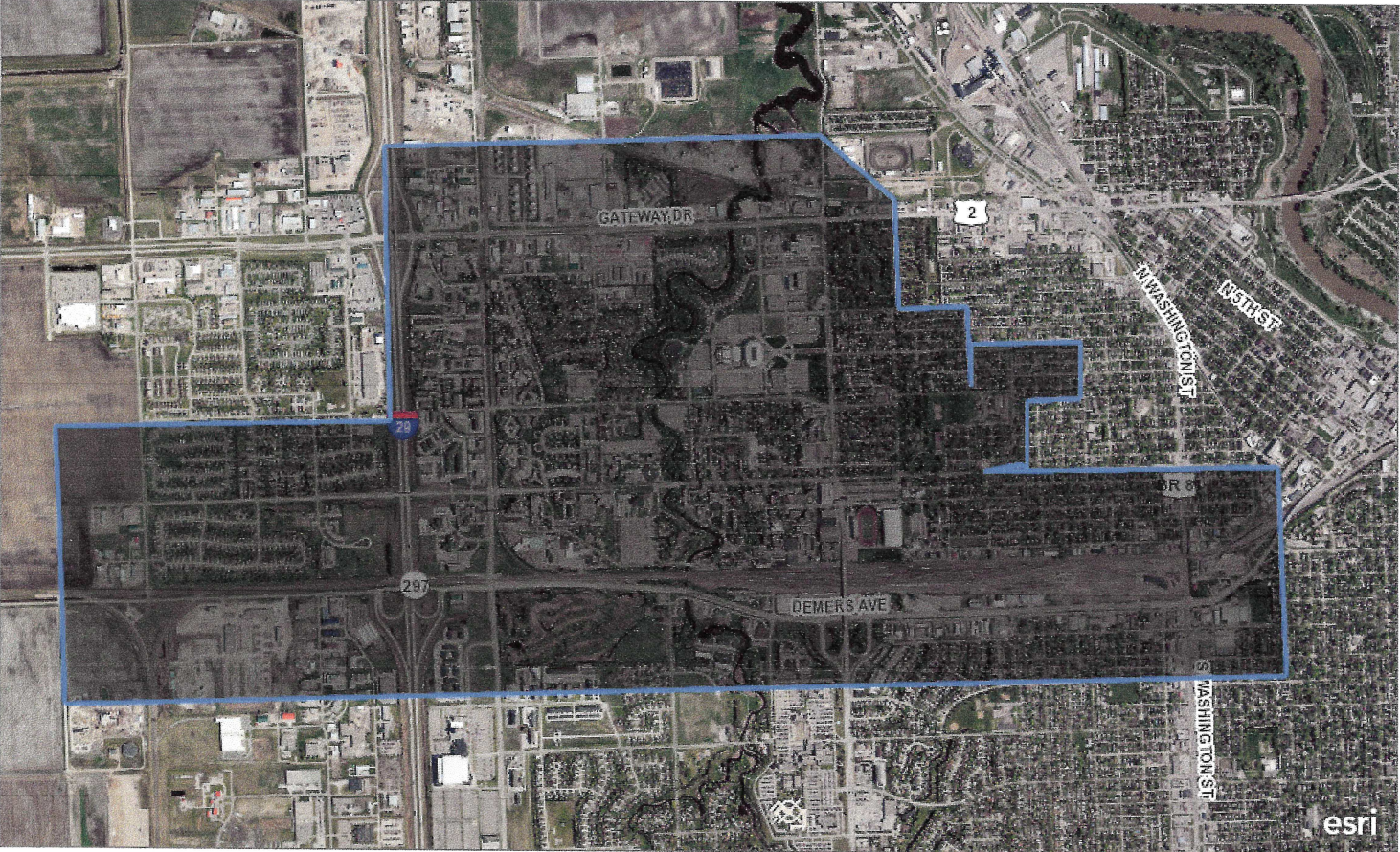
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City of Grand Forks GIS

Public Parcels Viewer





#9022

Office of the State's Attorney

March 15, 2021

House Judiciary Committee
North Dakota State Capitol
600 E. Boulevard Ave
Bismarck, ND 58505

Re: SB 2168 – Relating to UND Police Department Jurisdiction
March 15, 2021 Testimony before the House Judiciary Committee

Dear Chairman Klemin and Members of the House Judiciary Committee,

I am writing today in support of SB 2168. SB 2168 serves to correct and clarify problems we have encountered with the current law.

SB 2168 replaces the term “hot pursuit” with the term “fresh pursuit.” These terms have very distinct definitions under the law, which impacts the circumstances under which a law enforcement officer may complete a traffic stop if the suspect crosses the jurisdictional boundary. By amending this term to “fresh pursuit” this law would be consistent with the term used for other law enforcement agencies.

Additionally, SB 2168 provides for a one thousand five hundred feet buffer zone to the jurisdictional limits outlined in the current law. This would allow university law enforcement to be more responsive to emergency situations that may occur near the campus community.

Therefore, I respectfully request the committee consider a “do pass” recommendation on SB 2168. Thank you for your time and consideration. If you have any questions or wish to discuss this further, please feel free to reach out to our office.

Sincerely,

Haley L. Wamstad
Grand Forks County State's Attorney

2021 HOUSE STANDING COMMITTEE MINUTES

Judiciary

Room JW327B, State Capitol

SB 2168

3/15/2021

Relating to jurisdiction and authority of law enforcement officers employed by institutions of higher education.

Chairman Klemin called the meeting at 3:18 PM

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

Discussion Topics:

- Campus boundaries

Rep. Vetter: Do Not Pass Motion

Rep. Magrum: Seconded

Roll Call Vote:

Representatives	Vote
Chairman Klemin	Y
Vice Chairman Karls	N
Rep Becker	Y
Rep. Christensen	Y
Rep. Cory	N
Rep T. Jones	N
Rep Magrum	Y
Rep Paulson	Y
Rep Paur	Y
Rep Roers Jones	A
Rep B. Satrom	N
Rep Vetter	Y
Rep Buffalo	N
Rep K. Hanson	N

7-6-1 Motion passed. Carrier: Rep. Vetter

Stopped 3:32

DeLores D. Shimek
Committee Clerk

REPORT OF STANDING COMMITTEE

SB 2168, as engrossed: Judiciary Committee (Rep. Klemin, Chairman) recommends **DO NOT PASS** (7 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2168 was placed on the Fourteenth order on the calendar.

2021 HOUSE STANDING COMMITTEE MINUTES

Judiciary

Room JW327B, State Capitol

SB 2168

3/22/2021

Relating to prohibiting entry onto private land without permission.

Chairman Klemin called the hearing to order at 11:42 AM.

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

Discussion Topics:

- Property boundaries
- Leased property

Chairman Klemin: Proposed amendment 21.0709.02001. Testimony # #10301

Rep. T. Jones: Moved to reconsider

Rep. Satrom: Seconded

Roll call vote:

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

9-2-3 Motion passed

Rep. Satrom: Motion to amendment 21.0709.02001

Rep. Vetter: Seconded

Voice vote carried

Rep. Roers Jones: Do Pass as Amended

Rep. Vetter: Seconded

Roll call vote:

Representatives	Vote
Chairman Klemin	Y
Vice Chairman Karls	Y
Rep Becker	Y
Rep. Christensen	Y
Rep. Cory	A
Rep T. Jones	Y
Rep Magrum	Y
Rep Paulson	Y
Rep Paur	A
Rep Roers Jones	Y
Rep B. Satrom	Y
Rep Vetter	Y
Rep Buffalo	A
Rep K. Hanson	Y

11-0-3 Motion carried

Carrier: Rep. Vetter

Stopped 11:54

DeLores D. Shimek
Committee Clerk

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2168

- Page 1, line 11, remove the overstrike over "all"
- Page 1, line 11, remove the underscored colon
- Page 1, line 12, remove "(1) All"
- Page 1, line 12, remove the underscored semicolon
- Page 1, line 13, remove "(2) All"
- Page 1, line 19, remove the overstrike over "all"
- Page 1, line 19, remove the underscored colon
- Page 1, line 20, remove "(1) All"
- Page 1, line 20, remove the overstrike over "and"
- Page 1, line 20, remove the underscored semicolon
- Page 1, line 21, remove "(2) All"
- Page 2, line 9, remove the overstrike over "subdivision"
- Page 2, line 9, remove "paragraph"
- Page 2, line 10, remove "; and"
- Page 2, remove line 11
- Page 2, line 12, remove "jurisdictions in paragraphs 1 and 2"
- Page 2, line 14, remove the overstrike over "all"
- Page 2, line 14, remove the underscored colon
- Page 2, line 15, remove "(1) All"
- Page 2, line 15, remove the underscored semicolon
- Page 2, line 16, remove "(2) All"
- Page 2, line 20, remove "A law enforcement officer employed by Bismarck state college has jurisdiction on."
- Page 2, remove lines 21 through 28
- Page 2, line 29, remove "e."
- Page 3, line 6, remove the overstrike over "e."
- Page 3, line 6, remove "f."
- Page 3, line 10, remove the overstrike over "f."
- Page 3, line 10, remove "g."
- Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2168, as engrossed: Judiciary Committee (Rep. Klemin, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). Engrossed SB 2168 was placed on the Sixth order on the calendar.

Page 1, line 11, remove the overstrike over "all"

Page 1, line 11, remove the underscored colon

Page 1, line 12, remove "(1) All"

Page 1, line 12, remove the underscored semicolon

Page 1, line 13, remove "(2) All"

Page 1, line 19, remove the overstrike over "all"

Page 1, line 19, remove the underscored colon

Page 1, line 20, remove "(1) All"

Page 1, line 20, remove the overstrike over "and"

Page 1, line 20, remove the underscored semicolon

Page 1, line 21, remove "(2) All"

Page 2, line 9, remove the overstrike over "subdivision"

Page 2, line 9, remove "paragraph"

Page 2, line 10, remove "and"

Page 2, remove line 11

Page 2, line 12, remove "jurisdictions in paragraphs 1 and 2"

Page 2, line 14, remove the overstrike over "all"

Page 2, line 14, remove the underscored colon

Page 2, line 15, remove "(1) All"

Page 2, line 15, remove the underscored semicolon

Page 2, line 16, remove "(2) All"

Page 2, line 20, remove "A law enforcement officer employed by Bismarck state college has jurisdiction on:"

Page 2, remove lines 21 through 28

Page 2, line 29, remove "e."

Page 3, line 6, remove the overstrike over "e:"

Page 3, line 6, remove "f."

Page 3, line 10, remove the overstrike over "f:"

Page 3, line 10, remove "g."

Renumber accordingly

21.0709.02001

FIRST ENGROSSMENT

Sixty-seventh
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2168

Introduced by

Senators Kreun, Larson, J. Roers

Representatives Ista, O'Brien

1 A BILL for an Act to amend and reenact subsection 2 of section 15-10-17 of the North Dakota
2 Century Code, relating to jurisdiction and authority of law enforcement officers employed by
3 institutions of higher education.

4 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

5 **SECTION 1. AMENDMENT.** Subsection 2 of section 15-10-17 of the North Dakota Century
6 Code is amended and reenacted as follows:

7 2. Authorize the employment of law enforcement officers having jurisdiction on property
8 owned or leased by the state board of higher education to enforce laws and
9 regulations at its institutions, or as otherwise provided in this subsection.

10 a. A law enforcement officer employed by North Dakota state university has
11 jurisdiction on ~~all~~;

12 ~~_____ (1) All~~ property owned or leased by the state board of higher education; and

13 ~~_____ (2) All~~ property on and within the boundaries of the intersection of nineteenth
14 avenue north and Dakota drive south to eighth avenue north, eighth avenue
15 north east to tenth street north, tenth street north north to nineteenth avenue
16 north, nineteenth avenue north west to Dakota drive ~~jurisdictions in~~
17 ~~paragraphs 1 and 2.~~

18 b. A law enforcement officer employed by the university of North Dakota has
19 jurisdiction on ~~all~~;

20 ~~_____ (1) All~~ property owned or leased by the state board of higher education ~~and~~;

21 ~~_____ (2) All~~ property on and within the boundaries of the intersection of demers
22 avenue and north fifty-fifth street, north fifty-fifth street north to university
23 avenue, university avenue east to north forty-second street, north
24 forty-second street north to gateway drive, gateway drive east to north

columbia road, north columbia road south to tenth avenue north, tenth avenue north east to north twenty-fifth street, north twenty-fifth street south to sixth avenue north, sixth avenue north east to north twentieth street, north twentieth street south to fifth avenue north, fifth avenue north west to north twenty-third street, north twenty-third street south to university avenue, university avenue east to north twenty-first street, north twenty-first street south to dyke avenue, dyke avenue east to north washington street, north washington street south to demers avenue, and demers avenue west to north fifty-fifth street. Jurisdiction under this ~~subdivision~~paragraph includes Grand Forks international airport; ~~and~~

~~(3) Property within one thousand five hundred feet [457.2 meters] of the jurisdictions in paragraphs 1 and 2.~~

c. A law enforcement officer employed by the North Dakota state college of science has jurisdiction on ~~all~~;

~~(1) All property owned or leased by the state board of higher education; and~~

~~(2) All property on and within the boundaries of the intersection of seventh avenue north and eleventh street north, eleventh street north to sixteenth avenue north, sixteenth avenue north west to fourth street north, and fourth street north south to seventh avenue north.~~

d. ~~A law enforcement officer employed by Bismarck state college has jurisdiction on:~~

~~(1) All property owner or leased by the state board of higher education;~~

~~(2) All property on and within the boundaries of the area delineated by the intersections of Schafer street and canary avenue, canary avenue and Edwards avenue, Edwards avenue and Schafer street, Edwards avenue and Ward road, Ward road and college drive, and college drive and Schafer street; and~~

~~(3) Property within one thousand five hundred feet [457.2 meters] of the jurisdictions in paragraphs 1 and 2.~~

~~e.~~ A law enforcement officer employed by an institution under the control of the state board of higher education who is in "hot~~fresh~~ pursuit" may continue beyond the jurisdictional boundaries of each institution to make an arrest, in compliance with

1 a warrant or without a warrant under the conditions of section 29-06-15, if
2 obtaining the aid of peace officers having jurisdiction beyond that limit would
3 cause a delay permitting escape. As used in this subdivision, "~~hot~~fresh pursuit"
4 ~~means the immediate pursuit of a person who is endeavoring to avoid arrest~~has
5 the same meaning as in section 29-06-07.

6 ~~e.f.~~ The state board of higher education may enter a joint powers agreement with a
7 political subdivision to enable law enforcement from the political subdivision and
8 law enforcement from the institution to provide secondary response to each other
9 outside the jurisdictional boundaries provided in this subsection.

10 ~~f.g.~~ Notwithstanding any other provision of law or joint powers agreement, any
11 misdemeanor or felony violation of law occurring in or on property owned or
12 leased by the state board of higher education or within the extraterritorial
13 jurisdiction must be filed in district court unless the primary law enforcement
14 officer involved is not employed by the state board of higher education. An
15 infraction or noncriminal offense occurring in or on property owned or leased by
16 the state board of higher education or within the extraterritorial jurisdiction may
17 be filed in municipal court.

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2168

- Page 1, line 11, remove the overstrike over "all"
- Page 1, line 11, remove the underscored colon
- Page 1, line 12, remove "(1) All"
- Page 1, line 12, remove the underscored semicolon
- Page 1, line 13, remove "(2) All"
- Page 1, line 19, remove the overstrike over "all"
- Page 1, line 19, remove the underscored colon
- Page 1, line 20, remove "(1) All"
- Page 1, line 20, remove the overstrike over "and"
- Page 1, line 20, remove the underscored semicolon
- Page 1, line 21, remove "(2) All"
- Page 2, line 9, remove the overstrike over "subdivision"
- Page 2, line 9, remove "paragraph"
- Page 2, line 10, remove "and"
- Page 2, remove line 11
- Page 2, line 12, remove "jurisdictions in paragraphs 1 and 2"
- Page 2, line 14, remove the overstrike over "all"
- Page 2, line 14, remove the underscored colon
- Page 2, line 15, remove "(1) All"
- Page 2, line 15, remove the underscored semicolon
- Page 2, line 16, remove "(2) All"
- Page 2, line 20, remove "A law enforcement officer employed by Bismarck state college has jurisdiction on:"
- Page 2, remove lines 21 through 28
- Page 2, line 29, remove "e."
- Page 3, line 6, remove the overstrike over "e."
- Page 3, line 6, remove "f."
- Page 3, line 10, remove the overstrike over "f."
- Page 3, line 10, remove "g."

Renumber accordingly

2021 CONFERENCE COMMITTEE

SB 2168

2021 SENATE STANDING COMMITTEE MINUTES

Judiciary Committee
Peace Garden Room, State Capitol

SB 2168
4/12/2021
Conference Committee

A BILL for an Act to amend and reenact subsection 2 of section 15-10-17 of the North Dakota Century Code, relating to jurisdiction and authority of law enforcement officers employed by institutions of higher education.

Hearing called to order, all present: Senators **Larson, Bakke, Dwyer**. Representatives **Vetter, Magrum, Hanson**. [2:28]

Discussion Topics:

- Bismarck State College Reciprocity
- Hot Pursuit in statute

Senator Dwyer Moved to accede to the house amendments [2:45]

Representative Vetter Seconded the Motion

Vote Passed 5-1-0

Senator Bakke and Representative Vetter Carried the Bill

Hearing Adjourned [2:53]

Jamal Omar, Committee Clerk

**2021 SENATE CONFERENCE COMMITTEE
ROLL CALL VOTES**

BILL/RESOLUTION NO. 2168 as (re) engrossed

Senate Judiciary Committee

- Action Taken** ☒ **SENATE accede to House Amendments**
☐ **SENATE accede to House Amendments and further amend**
☐ **HOUSE recede from House amendments**
☐ **HOUSE recede from House amendments and amend as follows**

☐ **Unable to agree**, recommends that the committee be discharged and a new committee be appointed

Motion Made by: Dwyer Seconded by: Magrum

Senators				Yes	No		Representatives				Yes	No
Diane Larson				Y			Steven Vetter				Y	
Mike Dwyer				Y			Jeffery Magrum				Y	
JoNelle Bakke					N		Karla Rose Hanson				Y	
Total Senate Vote				2	1		Total Rep. Vote				3	0

Vote Count Yes: 5 No: 1 Absent: 0

Senate Carrier Bakke House Carrier Vetter

LC Number _____ . _____ of amendment

LC Number _____ . _____ of engrossment

Emergency clause added or deleted

Statement of purpose of amendment

REPORT OF CONFERENCE COMMITTEE

SB 2168, as engrossed: Your conference committee (Sens. Bakke, Dwyer, Larson and Reps. Vetter, Magrum, Hanson) recommends that the **SENATE ACCEDE** to the House amendments as printed on SJ pages 1053-1054 and place SB 2168 on the Seventh order.

Engrossed SB 2168 was placed on the Seventh order of business on the calendar.