

**FIRST ENGROSSMENT
with Conference Committee Amendments**

ENGROSSED HOUSE BILL NO. 1504

Introduced by

Representatives Charging, Froelich, Onstad

Senators Marcellais, Warner

1 A BILL for an Act to create and enact a new section to chapter 12-63 of the North Dakota
2 Century Code, relating to tribal police officers.

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

4 **SECTION 1.** A new section to chapter 12-63 of the North Dakota Century Code is
5 created and enacted as follows:

6 **Tribal police officers.**

- 7 1. A tribal police officer of a federally recognized Indian tribe in this state who meets
8 the requirements of this chapter and the rules adopted by the board is eligible for a
9 peace officer license or part-time peace officer license.
- 10 2. The board shall issue a peace officer license or part-time peace officer license to a
11 tribal police officer who is eligible for a peace officer license or part-time peace
12 officer license under this section and who has paid the prescribed license fee if:
- 13 a. The tribal police officer has been appointed as a special deputy in accordance
14 with section 11-15-02;
- 15 b. The tribal police officer is employed by the state or a political subdivision; or
16 c. There is an agreement between the state or a political subdivision and the
17 tribe for tribal police officers to perform law enforcement services.
- 18 3. A tribal police officer who is a member of a police force of a tribal government and
19 who is licensed under this section may exercise the powers of a peace officer of
20 this state within the exterior boundaries of the reservation, or off the reservation, in
21 accordance with the terms and conditions of the special deputy appointment, the
22 employment agreement, or the agreement between the state or political
23 subdivision and the tribe.

- 1 4. A tribal police officer who has a peace officer license under this section is subject
2 to this chapter and the rules adopted by the board, including requirements for
3 license renewal or reinstatement, annual sidearm qualification, and continuing
4 education.
- 5 5. The state or political subdivision is not liable for any act or omission of a tribal
6 police officer exercising peace officer powers authorized by an agreement between
7 the state or a political subdivision and a tribe.
- 8 6. This section does not diminish or expand the jurisdiction of any tribe or the state.