

SENATE BILL NO. 2285

Introduced by

Senators Nething, Lyson, Robinson

Representatives Dahl, Delmore, Skarphol

1 A BILL for an Act to amend and reenact section 12.1-10-05 of the North Dakota Century Code,
2 relating to disobedience of a judicial order; and to declare an emergency.

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

4 **SECTION 1. AMENDMENT.** Section 12.1-10-05 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **12.1-10-05. Disobedience of judicial order.**

- 7 1. ~~A person~~An individual is guilty of a class A misdemeanor if the ~~person~~individual
8 disobeys or resists a lawful temporary restraining order or preliminary or final
9 injunction or other final order, other than for the payment of money, of a court of this
10 state.
- 11 2. Notwithstanding the limitations of section 12.1-32-01, the ~~defendant~~individual may be
12 sentenced to pay a fine in any amount deemed just by the court.
- 13 3. An individual who willfully violates a lawful order of a court of this state requiring the
14 individual to participate in the twenty-four seven sobriety program authorized in
15 sections 54-12-27 through 54-12-31 is guilty of a class B misdemeanor. If a law
16 enforcement officer has reasonable cause to believe an individual has violated a lawful
17 order of a court of this state requiring the person to participate in the twenty-four seven
18 sobriety program, the law enforcement officer may arrest the individual without a
19 warrant and take the individual into custody. An individual arrested under this
20 subsection may not be released on bail or on the individual's personal recognizance
21 unless the individual has made a personal appearance before a magistrate.

22 **SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure.