

Introduced by

Senators Axness, Lyson, Mathern

Representatives Maragos, Gruchalla, Hogan

1 A BILL for an Act to create and enact two new sections to chapter 14-09 of the North Dakota  
2 Century Code, relating to the duty to report a missing child or the death of a child; and to  
3 provide a penalty.

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

5 **SECTION 1.** A new section to chapter 14-09 of the North Dakota Century Code is created  
6 and enacted as follows:

7 **Missing child - Duty to report - Penalty.**

8 A caregiver who is responsible for the care of a child and who is unable to make contact  
9 with or otherwise verify the whereabouts and safety of that child for a period of twenty-four  
10 hours is guilty of a class C felony if the caregiver willfully or negligently fails to report the child  
11 as missing to law enforcement immediately after this twenty-four-hour period expires. For  
12 purposes of this section and section 2 of this Act, "caregiver" means a parent, guardian, adult  
13 household member, or other individual responsible for a child's welfare.

14 **SECTION 2.** A new section to chapter 14-09 of the North Dakota Century Code is created  
15 and enacted as follows:

16 **Death of a child - Duty to report - Penalty.**

- 17 1. A caregiver of a child in the caregiver's care is guilty of a class C felony if the caregiver  
18 fails to:
- 19 a. Report the child's death to a law enforcement agency within two hours after  
20 learning about the child's death; or
  - 21 b. Report the location of the child's corpse to a law enforcement agency within two  
22 hours after learning the location of the corpse.
- 23 2. This section does not apply to the death of a child which occurs while the child is  
24 under the care of a health care professional or emergency medical personnel.