

Introduced by

Senators Poolman, Marcellais

Representatives Monson, Roers Jones

1 A BILL for an Act to create and enact a new subdivision to subsection 2 of section 12-60-24,
2 and a new section to chapter 15.1-09 of the North Dakota Century Code, relating to criminal
3 history background checks and prohibiting felons from attaining membership on a school board.

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

5 **SECTION 1.** A new subdivision to subsection 2 of section 12-60-24 of the North Dakota
6 Century Code is created and enacted as follows:

7 The superintendent of public instruction for a school board candidate.

8 **SECTION 2.** A new section to chapter 15.1-09 of the North Dakota Century Code is created
9 and enacted as follows:

10 **School board membership - Prohibition.**

11 Notwithstanding section 12.1-33-02, an individual who has pled guilty to or has been
12 convicted of a felony, a crime against a child as defined under section 12.1-32-15, an offense
13 under chapter 12.1-23, a violation of a protection order under section 14-07.1-06, or an
14 equivalent offense of another state or under federal law, may not be placed on the
15 ballot for, elected as a member of, or appointed to a school board. When a candidate files under
16 section 15.1-09-08 to seek election to a school board or before an individual is appointed to fill a
17 vacancy on a school board, the individual shall submit to and must pass, as determined by the
18 superintendent of public instruction, a statewide and nationwide criminal history record check.
19 The criminal history record check must be conducted in accordance with section 12-60-24.