

**HOUSE BILL NO. 1256**

Introduced by

Representatives Murphy, Frelich, Jonas, Kempenich, D. Ruby, Schauer, Schreiber-Beck,  
Strinden

Senator Wanzek

1 A BILL for an Act to create and enact a new section to chapter 12.1-11 of the North Dakota  
2 Century Code, relating to false allegations of sexual harassment or discrimination; 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 12.1-11 of the North Dakota Century Code is created  
6 and enacted as follows:

7 **False allegation of sexual harassment or discrimination.**

- 8 1. ~~A person~~An individual eighteen years of age or older is guilty of a class ~~C felony~~A  
9 ~~misdemeanor~~ if that ~~person~~individual makes an allegation of sexual harassment or of  
10 ~~discrimination based on sex, gender, sexual orientation, race, disability, or religious~~  
11 ~~affiliation against another~~ individual under the policy of a public institution and the  
12 ~~allegation is found to be false and frivolous~~have no basis in fact or law.
- 13 2. ~~A person~~An individual eighteen years of age or older is guilty of a class ~~C felony~~A  
14 ~~misdemeanor~~ if that ~~person~~individual makes an allegation of sexual harassment or of  
15 ~~discrimination based on sex, gender, sexual orientation, race, disability, or religious~~  
16 ~~affiliation against another~~ individual under title IX of the Education Amendments of  
17 1972 [Pub. L. 92-318; 20 U.S.C. 1681 et seq.] and the allegation is found to ~~be false~~  
18 ~~and frivolous~~have no basis in fact or law.
- 19 ~~3. A public official is guilty of a class B misdemeanor if the official willfully encourages an~~  
20 ~~individual to file a false and frivolous allegation under subsection 1 or 2.~~