



North Dakota House of Representatives

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TESTIMONY OF REP. LAWRENCE R. KLEMIN SENATE JUDICIARY COMMITTEE HOUSE BILL NO. 1226 APRIL 8, 2025

Members of the Senate Judiciary Committee. I am Lawrence R. Klemin, Representative for District 47 in Bismarck. I am here to testify in support of House Bill 1226 relating to wearing a mask in a public place.

House Bill 1226 updates Section 12.1-31-15 of the criminal code, which was enacted in the 2017 Legislative Session in response to the protests over the Dakota Access Pipeline (DAPL) that was being constructed in Morton County. During those protests there were numerous people wearing masks so that they could not be identified by the public and law enforcement while committing criminal mischief related to the pipeline project.

Last year, as a result of the hostilities between Israel and Hamas in Palestine and Gaza, there were numerous protests in the United States on university campuses and other public places resulting in the occupation and damage to public property by the protesters. Many of the protesters wore masks so that they could not be identified by university officials and law enforcement. HB 1226 amends our current law to cover the situation where groups of individuals acting together are wearing masks to conceal their identities despite a request by law enforcement to unmask. There is an exception for public gatherings to celebrate Halloween, a masquerade, or other similar celebrations. There is no change in the penalty in our law as it remains a class A misdemeanor.

I would like to introduce Hannah Meyers of the Manhattan Institute. I have invited her to speak at this hearing as an expert witness to provide you with more information about the need to update our law on the wearing of masks.

Rep. Lawrence R. Klemin
District 47, Bismarck