

Introduced by

Senators Watne, Lyson, W. Stenehjem

1 A BILL for an Act to create and enact a new section to chapter 12.1-17 of the North Dakota
2 Century Code, relating to contact by bodily fluids or excrement; and to provide a penalty.

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

4 **SECTION 1.** A new section to chapter 12.1-17 of the North Dakota Century Code is
5 created and enacted as follows:

6 **Contact by bodily fluids or excrement.**

- 7 1. An individual is guilty of a class C felony if the individual knowingly causes blood,
8 emesis, excrement, mucus, saliva, semen, vaginal fluid, or urine to come in
9 contact with:
- 10 a. A law enforcement officer acting in the scope of employment;
 - 11 b. An employee of a correctional facility or the department of corrections and
12 rehabilitation acting in the scope of employment;
 - 13 c. Any person lawfully present in a correctional facility who is not an inmate;
 - 14 d. Any person lawfully present in the penitentiary or an affiliated facility of the
15 penitentiary who is not an inmate; or
 - 16 e. Any person who is transporting an individual who is lawfully detained.
- 17 2. Subsection 1 does not apply to a mentally ill person as defined in section
18 25-03.1-02 who has been detained pursuant to chapter 25-03.1.