

HOUSE BILL NO. 1453

Introduced by

Representative Disrud

Senator Fischer

1 A BILL for an Act to create and enact a new subsection to section 12.1-05-02 and a new
2 subdivision to subsection 4 of section 12.1-32-07 of the North Dakota Century Code, relating to
3 execution of public duty and conditions of probation.

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

5 **SECTION 1.** A new subsection to section 12.1-05-02 of the North Dakota Century Code
6 is created and enacted as follows:

7 Conduct engaged in by an individual at the direction of a public servant, known by
8 that individual to be a law enforcement officer, to assist in the investigation of a
9 criminal offense is justified unless the individual knows or has a firm belief,
10 unaccompanied by substantial doubt, that the conduct is not within the law
11 enforcement officer's official duties or authority. For purposes of this subsection,
12 conduct "not within the law enforcement officer's official duties or authority" is
13 conduct in which the law enforcement officer alone could not lawfully engage in
14 that officer's official capacity.

15 **SECTION 2.** A new subdivision to subsection 4 of section 12.1-32-07 of the 1999
16 Supplement to the North Dakota Century Code is created and enacted as follows:

17 Notwithstanding any other provision of law, authorize the defendant to assist
18 law enforcement officers in an investigation of a criminal offense upon the
19 terms and conditions as the court may required by written order. The order
20 must be sealed and is subject to inspection only upon order of the court.