

HOUSE BILL NO. 1192

Introduced by

Representative Drovdal

Senator Lyson

1 A BILL for an Act to create and enact a new section to chapter 12-63 of the North Dakota
2 Century Code, relating to part-time peace officer authority, licensing, standards, and training;
3 and to amend and reenact section 12-63-01 of the North Dakota Century Code, relating to the
4 definition of peace officer.

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

6 **SECTION 1. AMENDMENT.** Section 12-63-01 of the North Dakota Century Code is
7 amended and reenacted as follows:

8 **12-63-01. Definitions.** As used in this chapter:

- 9 1. "Board" means the peace officer standards and training board.
- 10 2. "Part-time peace officer" means a public servant authorized by law or by
11 government agency or branch to enforce the law and to conduct or engage in
12 investigations of violations of the law who is employed by a criminal justice agency
13 of this state for no more than an average of twenty hours per week, not including
14 time spent on call when no call to active duty is received, calculated on an annual
15 basis.
- 16 3. "Peace officer" means a public servant authorized by law or by government
17 agency or branch to enforce the law and to conduct or engage in investigations of
18 violations of the law.

19 **SECTION 2.** A new section to chapter 12-63 of the North Dakota Century Code is
20 created and enacted as follows:

21 **Part-time peace officer license.**

- 22 1. Except as provided in this section, all provisions of this chapter apply to part-time
23 peace officer licenses. Except as limited by this section, a part-time licensed
24 peace officer of this state has the authority of a licensed peace officer of this state.

- 1 2. The board shall issue a part-time license to any individual employed by a criminal
2 justice agency who meets the requirements of this chapter and the rules of the
3 board for a part-time peace officer license.
- 4 3. A criminal justice agency may employ part-time licensed peace officers to
5 supplement and assist licensed peace officers. A criminal justice agency may not
6 employ a part-time licensed peace officer unless the part-time licensed peace
7 officer acts under the direct or indirect supervision of a licensed peace officer
8 designated by the criminal justice agency.
- 9 4. A part-time licensed peace officer may not exercise peace officer duties, including
10 the exercise of arrest authority, when off duty.
- 11 5. Unless the part-time licensed peace officer has a valid state concealed weapons
12 license, a part-time licensed peace officer may not carry a duty weapon or
13 concealed weapon when off duty.
- 14 6. The board shall establish criteria for part-time licenses, including training
15 curriculum, examination requirements, weapon training and certification, licensing
16 requirements, and continuing education requirements.
- 17 7. The board shall adopt rules to implement part-time peace officer licenses and shall
18 establish by rule fees for application for examination, initial licensing, renewal and
19 late renewal, and reinstatement of part-time peace officer licenses.