

**HOUSE BILL NO. 1214**

Introduced by

Representatives Froelich, DeKrey, Delmore

Senators Fischer, Lyson, Warner

1 A BILL for an Act to amend and reenact subsection 3 of section 12.1-32-07 of the North Dakota  
2 Century Code, relating to conditions of probation for sexual offenders.

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

4 **SECTION 1. AMENDMENT.** Subsection 3 of section 12.1-32-07 of the North Dakota  
5 Century Code is amended and reenacted as follows:

6 3. The court shall provide as an explicit condition of every probation that the  
7 defendant may not possess a firearm, destructive device, or other dangerous  
8 weapon while the defendant is on probation. The court shall provide as an explicit  
9 condition of probation that the defendant may not willfully go within one thousand  
10 feet [300.48 meters] of the real property comprising a public or private elementary  
11 or secondary school if the defendant is a sexual offender who committed a sexual  
12 offense against a minor.

13 Unless waived on the record by the court, the court shall also provide as a  
14 condition of probation that the defendant undergo various agreed-to community  
15 constraints and conditions as intermediate measures of the department of  
16 corrections and rehabilitation to avoid revocation, which may include:

- 17 a. Community service;
- 18 b. Day reporting;
- 19 c. Curfew;
- 20 d. Home confinement;
- 21 e. House arrest;
- 22 f. Electronic monitoring;
- 23 g. Residential halfway house; or
- 24 h. Intensive supervision program.