

**Sixty-fourth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 6, 2015**

HOUSE BILL NO. 1307
(Representatives K. Koppelman, Delmore, M. Johnson)
(Senator Luick)

AN ACT to amend and reenact section 12.1-12-06 of the North Dakota Century Code, relating to threatening of public servants; and to provide a penalty.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 12.1-12-06 of the North Dakota Century Code is amended and reenacted as follows:

12.1-12-06. Threatening public servants.

1. A person is guilty of a class C felony if ~~he~~that person threatens harm to ~~another~~a public servant with intent to influence ~~his~~the public servant's official action as a public servant in a pending or prospective judicial or administrative proceeding held before ~~him~~the public servant, or with intent to influence ~~him~~the public servant to violate ~~his~~the public servant's duty as a public servant.
2. A person is guilty of a class C felony if, with intent to influence another's official action as a public servant, ~~he~~the person threatens:
 - a. To commit any crime or to do anything unlawful;
 - b. To accuse anyone of a crime; or
 - c. To expose a secret or publicize an asserted fact, whether true or false, tending to subject any ~~person~~individual, living or deceased, to hatred, contempt, or ridicule, or to impair another's credit or business repute.
3.
 - a. A person is guilty of an offense if the person files any lien or encumbrance against real or personal property of a public servant if that person knows or has reason to know the lien or encumbrance is false or contains any materially false or fraudulent statement or representation.
 - b. An offense under this subsection is a class A misdemeanor, unless the person previously pled guilty or had been convicted under this subsection on two or more occasions, in which event the offense is a class C felony.
4. It is ~~not~~a defense to a prosecution under this section that ~~a person~~an individual whom the actor sought to influence was not qualified to act in the desired way whether because ~~he~~the individual had not yet assumed office, or lacked jurisdiction, or for any other reason.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-fourth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1307.

House Vote: Yeas 86 Nays 2 Absent 6

Senate Vote: Yeas 36 Nays 9 Absent 2

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2015.

Approved at _____ M. on _____, 2015.

Governor

Filed in this office this _____ day of _____, 2015,

at _____ o'clock _____ M.

Secretary of State