

Introduced by

Senators Kreun, Larson, J. Roers

Representatives Ista, O'Brien

1 A BILL for an Act to amend and reenact subsection 2 of section 15-10-17 of the North Dakota
2 Century Code, relating to jurisdiction and authority of law enforcement officers employed by
3 institutions of higher education.

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

5 **SECTION 1. AMENDMENT.** Subsection 2 of section 15-10-17 of the North Dakota Century
6 Code is amended and reenacted as follows:

7 2. Authorize the employment of law enforcement officers having jurisdiction on property
8 owned or leased by the state board of higher education to enforce laws and
9 regulations at its institutions, or as otherwise provided in this subsection.

10 a. A law enforcement officer employed by North Dakota state university has
11 jurisdiction on all:

12 (1) All property owned or leased by the state board of higher education; and;

13 (2) All property on and within the boundaries of the intersection of nineteenth
14 avenue north and Dakota drive south to eighth avenue north, eighth avenue
15 north east to tenth street north, tenth street north north to nineteenth avenue
16 north, nineteenth avenue north west to Dakota drive; and

17 ~~(3) Property within one thousand five hundred feet [457.2 meters] of the~~
18 ~~jurisdictions in paragraphs 1 and 2.~~

19 b. A law enforcement officer employed by the university of North Dakota has
20 jurisdiction on all:

21 (1) All property owned or leased by the state board of higher education and;

22 (2) All property on and within the boundaries of the intersection of demers
23 avenue and north fifty-fifth street, north fifty-fifth street north to university
24 avenue, university avenue east to north forty-second street, north

1 forty-second street north to gateway drive, gateway drive east to north
2 columbia road, north columbia road south to tenth avenue north, tenth
3 avenue north east to north twenty-fifth street, north twenty-fifth street south
4 to sixth avenue north, sixth avenue north east to north twentieth street,
5 north twentieth street south to fifth avenue north, fifth avenue north west to
6 north twenty-third street, north twenty-third street south to university avenue,
7 university avenue east to north twenty-first street, north twenty-first street
8 south to dyke avenue, dyke avenue east to north washington street, north
9 washington street south to demers avenue, and demers avenue west to
10 north fifty-fifth street. Jurisdiction under this ~~subdivision~~paragraph includes
11 Grand Forks international airport; and

12 (3) Property within one thousand five hundred feet [457.2 meters] of the
13 jurisdictions in paragraphs 1 and 2.

14 c. A law enforcement officer employed by the North Dakota state college of science
15 has jurisdiction on all:

16 (1) All property owned or leased by the state board of higher education; ~~and;~~

17 (2) All property on and within the boundaries of the intersection of seventh
18 avenue north and eleventh street north, eleventh street north to sixteenth
19 avenue north, sixteenth avenue north west to fourth street north, and fourth
20 street north south to seventh avenue north; ~~and~~

21 ~~(3) Property within one thousand five hundred feet [457.2 meters] of the~~
22 ~~jurisdictions in paragraphs 1 and 2; ~~and.~~~~

23 d. A law enforcement officer employed by Bismarck state college has jurisdiction on:

24 (1) All property owner or leased by the state board of higher education;

25 (2) All property on and within the boundaries of the area delineated by the
26 intersections of Schafer street and canary avenue, canary avenue and
27 Edwards avenue, Edwards avenue and Schafer street, Edwards avenue
28 and Ward road, Ward road and college drive, and college drive and Schafer
29 street; ~~and~~

30 (3) Property within one thousand five hundred feet [457.2 meters] of the
31 jurisdictions in paragraphs 1 and 2.

1 | e. A law enforcement officer employed by an institution under the control of the state
2 | board of higher education who is in "~~hot~~fresh pursuit" may continue beyond the
3 | jurisdictional boundaries of each institution to make an arrest, in compliance with
4 | a warrant or without a warrant under the conditions of section 29-06-15, if
5 | obtaining the aid of peace officers having jurisdiction beyond that limit would
6 | cause a delay permitting escape. As used in this subdivision, "~~hot~~fresh pursuit"
7 | ~~means the immediate pursuit of a person who is endeavoring to avoid arrest~~has
8 | the same meaning as in section 29-06-07.

9 | e.f. The state board of higher education may enter a joint powers agreement with a
10 | political subdivision to enable law enforcement from the political subdivision and
11 | law enforcement from the institution to provide secondary response to each other
12 | outside the jurisdictional boundaries provided in this subsection.

13 | f.g. Notwithstanding any other provision of law or joint powers agreement, any
14 | misdemeanor or felony violation of law occurring in or on property owned or
15 | leased by the state board of higher education or within the extraterritorial
16 | jurisdiction must be filed in district court unless the primary law enforcement
17 | officer involved is not employed by the state board of higher education. An
18 | infraction or noncriminal offense occurring in or on property owned or leased by
19 | the state board of higher education or within the extraterritorial jurisdiction may
20 | be filed in municipal court.