FIRST ENGROSSMENT

Sixty-eighth Legislative Assembly of North Dakota

ENGROSSED HOUSE BILL NO. 1334

Introduced by

22

23

24

Representatives Christensen, Cory, Henderson, Klemin, S. Olson, Vetter Senators Luick, Myrdal, Paulson

1 A BILL for an Act to create and enact sections 12.1-17-04.1 and 29-04-01.1 of the North Dakota 2 Century Code, relating to domestic terrorism and the statute of limitations for domestic 3 terrorism; to amend and reenact section 29-04-02 of the North Dakota Century Code, relating to 4 the statute of limitations for felonies except murder or domestic terrorism; to provide a penalty; 5 and to declare an emergency. 6 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA: 7 SECTION 1. Section 12.1-17-04.1 of the North Dakota Century Code is created and 8 enacted as follows: 9 12.1-17-04.1. Domestic terrorism - Definitions - Penalty. 10 As used in this section: 11 "Domestic terrorism" means an activity conducted within the geographical a. 12 boundaries of the state which: 13 Is done in cooperation with any federally designated terrorist organization 14 that threatens or appears to threaten the sovereignty of the state or the 15 United States of America: 16 Is a violation of criminal law; and (2)17 Either: (3)Involves violent acts or threats specifically intended to physically harm 18 <u>(a)</u> 19 human life and: 20 Intimidate, coerce, influence, or disrupt other lawful activity within [1] 21 the state; or

Involves the use of weapons of mass destruction.

Influence the policy of the state or any political subdivision of the

[2]

<u>(b)</u>

state; or

1		<u>b.</u>	"Material support or resources" means currency or other financial securities,
2			financial services, lodging, safe houses, training, false documentation or
3			identification, communications equipment, facilities, weapons, lethal substances,
4			explosives, personnel, transportation, and other physical assets. The term does
5			not include medical or religious material.
6	<u>2.</u>	<u>A p</u>	erson is guilty of a class C felony if the person willfully:
7		<u>a.</u>	Assembles with one or more persons for the purpose of training or instructing in
8			the use of, or practicing with, any technique or means capable of causing
9			property damage, or bodily injury or death, with the intent to employ such
10			training, instruction, or practice in the commission of domestic terrorism;
11		<u>b.</u>	Commits an act of domestic terrorism;
12		<u>C.</u>	Conspires with one or more persons to commit an act of domestic terrorism; or
13		<u>d.</u>	Provides material support or resources, or conceals or disguises the nature,
14			location, source, or ownership of material support or resources, with the
15			knowledge and intention that the support or resources are to be used in domestic
16			terrorism.
17	SECTION 2. Section 29-04-01.1 of the North Dakota Century Code is created and enacted		
18	as follows:		
19	29-04-01.1. Prosecution for domestic terrorism not limited.		
20	There is no limitation of the time within which a prosecution for domestic terrorism must be		
21	commenced.		
22	SECTION 3. AMENDMENT. Section 29-04-02 of the North Dakota Century Code is		
23	amended and reenacted as follows:		
24	29-0) 4-0 2	2. Prosecution for felony other than murder <u>or domestic terrorism</u> within three
25	years.		
26	Except as otherwise provided by law, a prosecution for any felony other than murder or		
27	domestic terrorism must be commenced within three years after its commission. Prosecution of		
28	felony offenses under chapter 12.1-23 or 50-24.8 must be commenced within the later of three		
29	years of commission of the last act that is an element of the offense, three years of discovery of		
30	the stolen property, or three years of discovery of the loss of the property or services. Nothing in		

Sixty-eighth Legislative Assembly

- 1 this section prevents a person prosecuted for murder or domestic terrorism from being found
- 2 guilty of any included offense and punished accordingly.
- 3 **SECTION 4. EMERGENCY.** This Act is declared to be an emergency measure.