23.0395.04000

Sixty-eighth Legislative Assembly of North Dakota

FIRST ENGROSSMENT with Senate Amendments ENGROSSED HOUSE BILL NO. 1268

Introduced by

Representatives Ista, Cory, Hanson, Heinert, Klemin, M. Ruby, Schneider, Vetter Senators Braunberger, Larson, Lee, Sickler

- 1 A BILL for an Act to create and enact a new subsection to section 14-07.1-02 of the North
- 2 Dakota Century Code, relating to the definition of domestic violence and stalking; to amend and
- 3 reenact subsection 3 of section 14-07.1-02 of the North Dakota Century Code, relating to
- 4 domestic violence protection orders; and to provide a penalty.

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

- SECTION 1. AMENDMENT. Subsection 3 of section 14-07.1-02 of the North Dakota
 Century Code is amended and reenacted as follows:
- 3. Service must be made upon the respondent at least five days prior to before the
 hearing. Service of the hearing notice, for a protection order under this section or for
 an ex parte temporary protection order under section 14-07.1-03, must be attempted
 by personal service before service by publication under rule 4 of the North Dakota
 Rules of Civil Procedure may be attempted. If service cannot be made, or if additional
 time is required to complete service by publication, the court may set a new date.
- SECTION 2. A new subsection to section 14-07.1-02 of the North Dakota Century Code is created and enacted as follows:
- As used in this section and in section 14-07.1-03:
- 17 <u>a. "Domestic violence" has the meaning provided in section 14-07.1-01 and includes stalking.</u>
- b. "Stalking" has the meaning provided for in the term "stalk" in section
 12.1-17-07.1.