

CARRIAGE

CHAPTER 100

HOUSE BILL NO. 1189

(Representatives Soukup, Carlisle, Coats)
(Senators Nalewaja, W. Stenehjem)

EMERGENCY TELECOMMUNICATIONS SERVICE INTERRUPTION

AN ACT to amend and reenact section 8-10-11 of the North Dakota Century Code, relating to the interruption of telecommunications in certain emergencies; and to provide a penalty.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 8-10-11 of the North Dakota Century Code is amended and reenacted as follows:

8-10-11. Interruption of ~~telephone communications~~ telecommunications in kidnapping or hostage emergency - Duty of ~~telephone~~ telecommunications company to assist - Prohibited communications - Penalty.

1. As used in this section, "peace officer" has the same meaning as in section 12.1-01-04.
2. A peace officer ~~who~~ with supervisory control over an incident in which that peace officer has probable cause to believe that an individual is being unlawfully confined or has been taken hostage, who has supervisory control over investigating the incident, and who has lawful jurisdiction in the geographical area where the violation is believed to be occurring, could suffer injury or death as a result of the incident may order a ~~telephone~~ telecommunications company to cut, reroute, or divert ~~telephone lines~~ telecommunications transmissions for the purpose of controlling communications. Nothing in this section may deny the ~~telephone~~ telecommunications company reimbursement for the value of ~~their services provided in~~ or damage to ~~their facilities~~ resulting from ~~their~~ compliance with ~~such~~ the supervising peace officer's order.
3. Each ~~telephone~~ telecommunications company shall designate an employee to serve as a security official and to provide assistance as required by the supervising peace officer under this section.
4. ~~A person~~ An individual may not initiate ~~telephone communications~~ telecommunications with a suspected violator if that ~~person~~ individual knows that an order has been issued under subsection 2. Violation of this subsection is a class B misdemeanor.