

Sixty-fourth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1307

Introduced by

Representatives K. Koppelman, Delmore, M. Johnson

Senator Luick

1 A BILL for an Act to amend and reenact section 12.1-12-06 of the North Dakota Century Code,
2 relating to threatening of public servants; and to provide a penalty.

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

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

6 **12.1-12-06. Threatening public servants.**

- 7 1. A person is guilty of a class C felony if ~~he~~that person threatens harm to ~~another a~~
8 public servant with intent to influence ~~his~~the public servant's official action as a public
9 servant in a pending or prospective judicial or administrative proceeding held before
10 ~~him~~the public servant, or with intent to influence ~~him~~the public servant to violate ~~his~~the
11 public servant's duty as a public servant.
- 12 2. A person is guilty of a class C felony if, with intent to influence another's official action
13 as a public servant, ~~he~~the person threatens:
 - 14 a. To commit any crime or to do anything unlawful;
 - 15 b. To accuse anyone of a crime; or
 - 16 c. To expose a secret or publicize an asserted fact, whether true or false, tending to
17 subject any ~~person~~individual, living or deceased, to hatred, contempt, or ridicule,
18 or to impair another's credit or business repute.
- 19 3. a. A person is guilty of an offense if the person files any lien or encumbrance
20 against real or personal property of a public servant if that person knows or has
21 reason to know the lien or encumbrance is false or contains any materially false
22 or fraudulent statement or representation.

- 1 b. An offense under this subsection is a class A misdemeanor, unless the person
2 previously pled guilty or had been convicted under this subsection on two or
3 more occasions, in which event the offense is a class C felony.
- 4 4. It is ~~not a~~ defense to a prosecution under this section that a ~~person~~an individual
5 whom the actor sought to influence was not qualified to act in the desired way whether
6 because ~~he~~the individual had not yet assumed office, or lacked jurisdiction, or for any
7 other reason.