

HOUSE BILL NO. 1428

Introduced by

Representatives Steiner, Dakane, Finley-DeVille, Hauck, Lefor, Roers Jones, Schatz

Senators Elkin, Kessel, Larson, Rummel

1 A BILL for an Act to create and enact a new section to chapter 54-12 of the North Dakota
2 Century Code, relating to law enforcement canine team certification.

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

4 **SECTION 1.** A new section to chapter 54-12 of the North Dakota Century Code is created
5 and enacted as follows:

6 **Law enforcement canine team certification - Specialties.**

- 7 1. As used in this section, "police canine" means a canine that is owned, or the service of
8 which is employed, by a state or local law enforcement agency, or a correctional
9 agency, for the principal purpose of aiding in the detection of criminal activity,
10 flammable materials, or missing individuals; the enforcement of laws; or the
11 apprehension of offenders.
- 12 2. A state, county, or city agency, or a state, county, or city law enforcement agency or
13 law enforcement officer may not use a police canine to perform or assist with the
14 performance of the specialties under subsection 5, unless the police canine and the
15 police canine's handler are certified as a canine team by an association identified by
16 the attorney general which specializes in law enforcement canine training.
- 17 3. A law enforcement agency may apply to the identified association for issuance of
18 certification as a canine team. Upon receipt of the application, the association shall
19 designate a canine judge or canine evaluator to conduct the evaluation. When the
20 evaluation is complete, the canine judge or evaluator shall submit the evaluation and
21 results to the association's governing board. The association shall furnish a copy of
22 the results to the requesting law enforcement agency.

- 1 4. The association shall issue a state canine team certificate to the canine team upon
2 successful completion of all certification requirements and upon receipt of an
3 evaluation signed by an association-approved canine judge or evaluator.
- 4 5. A law enforcement canine team must be certified initially and annually recertified
5 through the association in one or more of the following specialties:
- 6 a. The detection of the odors of drugs and controlled substances.
- 7 b. The detection of the odors of explosive materials, explosive devices, and
8 materials used to construct an explosive device.
- 9 c. The detection of odors of any other substance or material that can be used with
10 criminal intent.
- 11 d. Apprehension or search skills including tracking, building suspect search, article
12 recovery, evidence search, and suspect apprehension.