

Fifty-fifth
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2055

Introduced by

Senators Nalewaja, Lee, Robinson

Representatives Jacobs, Kempenich

1 A BILL for an Act to amend and reenact section 50-11.1-13.1 of the North Dakota Century
2 Code, relating to a penalty for providing certain childhood services.

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

4 **SECTION 1. AMENDMENT.** Section 50-11.1-13.1 of the 1995 Supplement to the
5 North Dakota Century Code is amended and reenacted as follows:

6 **50-11.1-13.1. Penalty for provision of services in violation of sections ~~50-11.1-04~~**
7 **~~and 50-11.1-06~~ - When applicable.** A person who ~~has been convicted of a crime against a~~
8 ~~child or is a sexual offender, as defined in section 12.1-32-15, or who has had an application for~~
9 ~~licensure or registration to provide early childhood services denied because of a finding of~~
10 ~~probable cause against that person for child abuse or neglect under chapter 50-25.1 or who~~
11 ~~has had a license or certificate of registration to provide early childhood services revoked upon~~
12 ~~a finding of probable cause against that person for child abuse or neglect under chapter~~
13 ~~50-25.1, and who continues to provide~~ provides early childhood services to any child ~~not, other~~
14 than a child who is a member of that person's household, is guilty of a class B misdemeanor if:
15 1. Those services are provided after that person is required to register under section
16 12.1-32-15;
17 2. The department has denied that person's application for licensure or registration to
18 provide early childhood services or has revoked that person's license or certificate
19 of registration to provide early childhood services following a finding that services
20 are required under chapter 50-25.1 and that finding has become final or has not
21 been contested by that person; or
22 3. The person allows another person to be in the presence of the child receiving the
23 services if that other person is required to register under section 12.1-32-15 or has
24 had an application for licensure or registration to provide early childhood service

1 denied by the department following a finding that services are required under
2 chapter 50-25.1 and that finding has become final or has not been contested by
3 that other person.