

SENATE BILL NO. 2332

Introduced by

Senators Schneider, Oban, Oehlke

Representatives Klemin, Larson, Maragos

1 A BILL for an Act to create and enact section 12.1-29-07 of the North Dakota Century Code,
2 relating to ~~a mandated~~an offender education program; to amend and reenact section
3 12.1-29-06 ~~and subdivision e of subsection 1 of section 12.1-32-15~~ of the North Dakota Century
4 Code, relating to hiring an individual to engage in sexual activity ~~and sex offender registration~~;
5 and to provide a penalty.

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

7 **SECTION 1. AMENDMENT.** Section 12.1-29-06 of the North Dakota Century Code is
8 amended and reenacted as follows:

9 **12.1-29-06. Hiring an individual to engage in sexual activity.**

10 An individual who hires or offers or agrees to hire another individual with the intention of
11 engaging in sexual activity is guilty of ~~a~~:

12 1. A class B misdemeanor for a first offense; and

13 2. A class A misdemeanor for a second or subsequent offense within ten years.

14 **SECTION 2.** Section 12.1-29-07 of the North Dakota Century Code is created and enacted
15 as follows:

16 **~~Mandated offender~~Offender education program.**

17 If the court finds an offender education program is ~~reasonably~~ available; within seventy-five
18 miles of the offender's residence or is available online, a sentence for a first offense under
19 section 12.1-29-06 ~~must~~may include an order for the offender to participate in an offender
20 education program on the negative consequences of the commercial sex industry, including
21 health and legal consequences and the impact on communities, survivors, spouses, and
22 children. The court may order the offender to pay the cost of the offender education program.

23 ~~—SECTION 3. AMENDMENT. Subdivision e of subsection 1 of section 12.1-32-15 of the~~
24 ~~North Dakota Century Code is amended and reenacted as follows:~~

1 ~~e. "Sexual offender" means a person who has pled guilty to or been found guilty,~~
2 ~~including juvenile delinquent adjudications, of a violation of section 12.1-20-03,~~
3 ~~12.1-20-03.1, 12.1-20-04, 12.1-20-05, 12.1-20-05.1, 12.1-20-06, 12.1-20-06.1,~~
4 ~~12.1-20-07 except for subdivision a, 12.1-20-11, 12.1-20-12.1, or 12.1-20-12.2,~~
5 ~~chapter 12.1-27.2, or subsection 2 of section 12.1-22-03.1, subsection 2 of~~
6 ~~section 12.1-29-06, sex trafficking in violation of chapter 12.1-40, or an equivalent~~
7 ~~offense from another court in the United States, a tribal court, or court of another~~
8 ~~country, or an attempt or conspiracy to commit these offenses.~~