

**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 a sentence for a first offense under section 12.1-29-06  
19 ~~must~~may include an order for the offender to participate in an offender education program on  
20 the negative consequences of the commercial sex industry, including health and legal  
21 consequences and the impact on communities, survivors, spouses, and children. The court may  
22 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.~~