

**Sixty-fifth Legislative Assembly of North Dakota  
In Regular Session Commencing Tuesday, January 3, 2017**

HOUSE BILL NO. 1426  
(Representatives Porter, Kempenich, Rohr, Schmidt)  
(Senator Schaible)

AN ACT to amend and reenact subsection 4 of section 12.1-25-01, subsection 1 of section 12.1-25-02, subsection 1 of section 12.1-25-03, and section 12.1-25-04 of the North Dakota Century Code, relating to riot offenses; and to declare an emergency.

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

**SECTION 1. AMENDMENT.** Subsection 4 of section 12.1-25-01 of the North Dakota Century Code is amended and reenacted as follows:

4. The offense is a class ~~GB~~ felony if it is under subdivision b of subsection 1 ~~and/or~~ the riot involves one hundred or more persons. Otherwise it is a class ~~A-misdemeanor~~ C felony.

**SECTION 2. AMENDMENT.** Subsection 1 of section 12.1-25-02 of the North Dakota Century Code is amended and reenacted as follows:

1. A person is guilty of a class ~~GB~~ felony if ~~he~~ the person:
  - a. Knowingly supplies a firearm, dangerous weapon, or destructive device for use in a riot;
  - b. Teaches another to prepare or use a firearm, dangerous weapon, or destructive device with intent that any such thing be used in a riot; or
  - c. While engaging in a riot, is knowingly armed with a firearm, dangerous weapon, or destructive device.

**SECTION 3. AMENDMENT.** Subsection 1 of section 12.1-25-03 of the North Dakota Century Code is amended and reenacted as follows:

1. A person is guilty of a class ~~BA~~ misdemeanor if ~~he~~ the person engages in a riot, as defined in section 12.1-25-01.

**SECTION 4. AMENDMENT.** Section 12.1-25-04 of the North Dakota Century Code is amended and reenacted as follows:

**12.1-25-04. Disobedience of public safety orders under riot conditions.**

A person is guilty of a class ~~BA~~ misdemeanor if, during a riot as defined in section 12.1-25-01, or when one is immediately impending, ~~he~~ the person disobeys a reasonable public safety order to move, disperse, or refrain from specified activities in the immediate vicinity of the riot. A public safety order is an order designed to prevent or control disorder, or promote the safety of persons or property, issued by the senior law enforcement official on the scene.

**SECTION 5. EMERGENCY.** This Act is declared to be an emergency measure.

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Chief Clerk of the House

\_\_\_\_\_  
Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-fifth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1426 and that two-thirds of the members-elect of the House of Representatives voted in favor of said law.

Vote:        Yeas 63                      Nays 27                      Absent 4

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
Chief Clerk of the House

This certifies that two-thirds of the members-elect of the Senate voted in favor of said law.

Vote:        Yeas 35                      Nays 10                      Absent 2

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Secretary of the Senate

Received by the Governor at \_\_\_\_\_ M. on \_\_\_\_\_, 2017.

Approved at \_\_\_\_\_ M. on \_\_\_\_\_, 2017.

\_\_\_\_\_  
Governor

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 2017,  
at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State