

Sixty-fifth  
Legislative Assembly  
of North Dakota

## ENGROSSED SENATE BILL NO. 2193

Introduced by

Senators Kreun, Luick, Sorvaag

Representatives Blum, Boschee, Mock

1 A BILL for an Act to amend and reenact section 11-15-33, subsection 2 of section 15-10-17, and  
2 section 40-20-05 of the North Dakota Century Code, relating to jurisdiction of law enforcement  
3 officers; and to declare an emergency.

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

5 **SECTION 1. AMENDMENT.** Section 11-15-33 of the North Dakota Century Code is  
6 amended and reenacted as follows:

7 **11-15-33. County law enforcement officer - Jurisdiction - Fresh pursuit.**

8 1. A county law enforcement officer employed by a county has jurisdiction within that  
9 county and up to one thousand five hundred feet [457.2 meters] outside the county.

10 2. A county law enforcement officer in fresh pursuit may enter another county and may  
11 continue within that county in fresh pursuit to make an arrest, in compliance with a  
12 warrant or without a warrant under the conditions of section 29-06-15, if obtaining the  
13 aid of law enforcement officers having jurisdiction in that county would cause a delay  
14 permitting escape. As used in this section, "fresh pursuit" means fresh pursuit as  
15 defined in section 29-06-07.

16 3. The jurisdiction limits in subsection 1 do not apply to a county law enforcement officer  
17 acting pursuant to a joint powers agreement with another jurisdiction.

18 **SECTION 2. AMENDMENT.** Subsection 2 of section 15-10-17 of the North Dakota Century  
19 Code is amended and reenacted as follows:

20 2. Authorize the employment of law enforcement officers having ~~concurrent~~ jurisdiction  
21 with other law enforcement officers as provided in this subsection on property owned or  
22 leased by the state board of higher education to enforce laws and regulations at its  
23 institutions, or as otherwise provided in this subsection.

- 1           a. A law enforcement officer employed by North Dakota state university has  
2           jurisdiction on all property owned or leased by the state board of higher education  
3           and property on and within the boundaries of the intersection of nineteenth  
4           avenue north and Dakota drive south to eighth avenue north, eighth avenue north  
5           east to tenth street north, tenth street north north to nineteenth avenue north,  
6           nineteenth avenue north west to Dakota drive.
- 7           b. A law enforcement officer employed by the university of North Dakota has  
8           jurisdiction on all property owned or leased by the state board of higher education  
9           and property on and within the boundaries of the intersection of demers avenue  
10          and north fifty-fifth street, north fifty-fifth street north to university avenue,  
11          university avenue east to north forty-second street, north forty-second street  
12          north to gateway drive, gateway drive east to north columbia road, north  
13          columbia road south to tenth avenue north, tenth avenue north east to north  
14          twenty-fifth street, north twenty-fifth street south to sixth avenue north, sixth  
15          avenue north westeast to north twentieth street, north twentieth street south to  
16          fifth avenue north, fifth avenue north west to north twenty-third street, north  
17          twenty-third street south to university avenue, university avenue east to north  
18          twenty-first street, north twenty-first street south to dyke avenue, dyke avenue  
19          east to north washington street, north washington street south to demers avenue,  
20          and demers avenue west to north fifty-fifth street. Jurisdiction under this  
21          subdivision includes Grand Forks international airport.
- 22          c. A law enforcement officer employed by the North Dakota state college of science  
23          has jurisdiction on all property owned or leased by the state board of higher  
24          education and property on and within the boundaries of the intersection of  
25          seventh avenue north and eleventh street north, eleventh street north to sixteenth  
26          avenue north, sixteenth avenue north west to fourth street north, and fourth street  
27          north south to seventh avenue north.
- 28          d. A law enforcement officer employed by an institution under the control of the state  
29          board of higher education who is in "hot pursuit" may continue beyond the  
30          jurisdictional boundaries of each institution to make an arrest, in compliance with  
31          a warrant or without a warrant under the conditions of section 29-06-15, if

1 obtaining the aid of peace officers having jurisdiction beyond that limit would  
2 cause a delay permitting escape. As used in this subdivision, "hot pursuit" means  
3 the immediate pursuit of an individual endeavoring to avoid arrest.

4 e. The state board of higher education may enter a joint powers agreement with a  
5 political subdivision to enable law enforcement from the political subdivision and  
6 law enforcement from the institution to provide secondary response to each other  
7 outside the jurisdictional boundaries provided in this subsection.

8 f. Notwithstanding any other provision of law or joint powers agreement, any  
9 misdemeanor or felony violation of law occurring in or on property owned or  
10 leased by the state board of higher education or within the extraterritorial  
11 jurisdiction must be filed in district court unless the primary law enforcement  
12 officer involved is not employed by the state board of higher education. An  
13 infraction or noncriminal offense occurring in or on property owned or leased by  
14 the state board of higher education or within the extraterritorial jurisdiction may  
15 be filed in municipal court.

16 **SECTION 3. AMENDMENT.** Section 40-20-05 of the North Dakota Century Code is  
17 amended and reenacted as follows:

18 **40-20-05. Chief of police and police officers - Powers and duties - Hot pursuit.**

- 19 1. The chief of police shall perform ~~such~~ duties as shall be prescribed by the governing  
20 body for the preservation of the peace. The chief of police ~~shall have the authority~~  
21 ~~to~~ may administer oaths to police officers under the chief's supervision. Within the city  
22 limits, and for a distance of one and one-half miles [2.41 kilometers] in all directions  
23 outside the city limits, the police officers ~~and watchmen~~ of the city shall perform the  
24 duties and exercise the powers of peace officers as defined and prescribed by the  
25 laws of this state.
- 26 2. A police officer in "hot pursuit" may continue beyond the one and one-half mile [2.41  
27 ~~kilometer~~kilometers] limit to make an arrest, in obedience to a warrant or without a  
28 warrant under the conditions of section 29-06-15, ~~whenever~~if obtaining the aid of  
29 peace officers having jurisdiction beyond that limit would cause a delay permitting  
30 escape. As used in this subsection, "hot pursuit" means the immediate pursuit of ~~a~~  
31 ~~person who is~~ an individual endeavoring to avoid arrest. The jurisdiction limits in

1            subsection 1 do not apply to a police officer acting pursuant to a joint powers  
2            agreement with another jurisdiction.

3            3. Police officers shall serve and execute any warrant, writ, process, order, or notice  
4            issued ~~to them~~ by a municipal judge within the city in any civil or criminal action or  
5            proceeding for or on account of a violation of any city ordinance or in any action or  
6            proceeding in which the city is a party or is interested beneficially. The police, within  
7            the limits prescribed in this section, may serve and execute all writs and process  
8            issued by justices in civil actions. In addition to the duties set out in this section, the  
9            police shall perform such other duties as may be prescribed by ordinance or statute.

10          **SECTION 4. EMERGENCY.** This Act is declared to be an emergency measure.