

HOUSE BILL NO. 1223

Introduced by

Representatives Heinert, K. Koppelman, Meier, Roers Jones

Senators Oban, Unruh

1 A BILL for an Act to create and enact a new subsection to section 39-03-09 of the North Dakota
2 Century Code, relating to the powers of the highway patrol to exercise general police powers;
3 and to amend and reenact subsections 12 and 16 of section 39-03-09 of the North Dakota
4 Century Code, relating to the powers of the highway patrol.

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

6 **SECTION 1.** A new subsection to section 39-03-09 of the North Dakota Century Code is
7 created and enacted as follows:

8 To exercise general police powers over any violation of law committed on public or
9 private property when requested by another law enforcement agency.

10 **SECTION 2. AMENDMENT.** Subsections 12 and 16 of section 39-03-09 of the North
11 Dakota Century Code are amended and reenacted as follows:

12 12. To exercise general police powers over all violations of law committed in their
13 presence ~~upon any highway and within the highway right of way~~ or when in pursuit of
14 any actual or suspected law violator.

15 16. Of a peace officer when responding to a ~~request~~call for emergency assistance
16 requiring an immediate response ~~regardless of whether the request is being made by~~
17 ~~another law enforcement agency or officer.~~ Following a call for emergency assistance
18 which occurs outside state-owned or state-leased property, a highway, or the highway
19 right of way, notification must be provided to the local law enforcement agency having
20 primary jurisdiction.