

Introduced by

Representatives Damschen, Boe, Headland, Magrum, Schmidt

Senators Myrdal, Patten, Schaible, Unruh

1 A BILL for an Act to amend and reenact section 12.1-31-14 of the North Dakota Century Code,  
2 relating to prohibiting use of a device to observe, record, or photograph wildlife on private  
3 property without permission and a permanently affixed identifier; and to provide a penalty.

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

5 **SECTION 1. AMENDMENT.** Section 12.1-31-14 of the North Dakota Century Code is  
6 amended and reenacted as follows:

7 **12.1-31-14. Surreptitious intrusion or interference with privacy.**

8 1. An individual is guilty of a class B misdemeanor if, with intent to intrude upon or  
9 interfere with the privacy of another, the individual:

10 a. Enters upon another's property and surreptitiously gazes, stares, or peeps into a  
11 house or place of dwelling of another; or

12 b. Enters upon another's property and surreptitiously installs or uses any device for  
13 observing, photographing, recording, amplifying, or broadcasting sounds or  
14 events from a house or place of dwelling of another.

15 2. An individual is guilty of a class B misdemeanor if, with intent to intrude upon or  
16 interfere with the privacy of an occupant, the individual:

17 a. Surreptitiously gazes, stares, or peeps into a tanning booth, a sleeping room in a  
18 hotel, or other place where a reasonable individual would have an expectation of  
19 privacy; or

20 b. Surreptitiously installs or uses any device for observing, photographing,  
21 recording, amplifying, or broadcasting sounds or events from a tanning booth, a  
22 sleeping room in a hotel, or other place where a reasonable individual would  
23 have an expectation of privacy.

- 1       3. An individual is guilty of an infraction if the individual enters upon another's property  
2       and installs any device for observing, recording, or photographing wildlife while the  
3       owner of the device is absent:
- 4       a. Without written permission from the owner or occupant of the property; or  
5       b. If the device does not have a permanently affixed metal or plastic tag with a  
6       registration number issued by the game and fish department, or the individual's  
7       name, address, and telephone number.