

HOUSE BILL NO. 1426

Introduced by

Representatives Porter, Kempenich, Rohr, Schmidt

Senator Schaible

1 A BILL for an Act to amend and reenact subsection 4 of section 12.1-25-01, subsection 1 of
2 section 12.1-25-02, subsection 1 of section 12.1-25-03, and section 12.1-25-04 of the North
3 Dakota Century Code, relating to riot offenses; and to declare an emergency.

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

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

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

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

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

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

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

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

1 **12.1-25-04. Disobedience of public safety orders under riot conditions.**

2 A person is guilty of a class ~~B~~A misdemeanor if, during a riot as defined in section
3 12.1-25-01, or when one is immediately impending, ~~he~~the person disobeys a reasonable public
4 safety order to move, disperse, or refrain from specified activities in the immediate vicinity of the
5 riot. A public safety order is an order designed to prevent or control disorder, or promote the
6 safety of persons or property, issued by the senior law enforcement official on the scene.

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