

**FIRST ENGROSSMENT
with Senate Amendments
ENGROSSED HOUSE BILL NO. 1268**

Introduced by

Representatives Ista, Cory, Hanson, Heinert, Klemin, M. Ruby, Schneider, Vetter

Senators Braunberger, Larson, Lee, Sickler

1 A BILL for an Act to create and enact a new subsection to section 14-07.1-02 of the North
2 Dakota Century Code, relating to the definition of domestic violence and stalking; to amend and
3 reenact subsection 3 of section 14-07.1-02 of the North Dakota Century Code, relating to
4 domestic violence protection orders; and to provide a penalty.

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

6 **SECTION 1. AMENDMENT.** Subsection 3 of section 14-07.1-02 of the North Dakota
7 Century Code is amended and reenacted as follows:

8 3. Service must be made upon the respondent at least five days ~~prior to~~before the
9 hearing. Service of the hearing notice, for a protection order under this section or for
10 an ex parte temporary protection order under section 14-07.1-03, must be attempted
11 by personal service before service by publication under rule 4 of the North Dakota
12 Rules of Civil Procedure may be attempted. If service cannot be made, or if additional
13 time is required to complete service by publication, the court may set a new date.

14 **SECTION 2.** A new subsection to section 14-07.1-02 of the North Dakota Century Code is
15 created and enacted as follows:

16 As used in this section and in section 14-07.1-03:

17 a. "Domestic violence" has the meaning provided in section 14-07.1-01 and
18 includes stalking.

19 b. "Stalking" has the meaning provided for in the term "stalk" in section
20 12.1-17-07.1.