

**Sixty-eighth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 3, 2023**

HOUSE BILL NO. 1268
(Representatives Ista, Cory, Hanson, Heinert, Klemin, M. Ruby, Schneider, Vetter)
(Senators Braunberger, Larson, Lee, Sickler)

AN ACT to create and enact a new subsection to section 14-07.1-02 of the North Dakota Century Code, relating to the definition of domestic violence and stalking; to amend and reenact subsection 3 of section 14-07.1-02 of the North Dakota Century Code, relating to domestic violence protection orders; and to provide a penalty.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

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

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

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

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

- a. "Domestic violence" has the meaning provided in section 14-07.1-01 and includes stalking.
- b. "Stalking" has the meaning provided for in the term "stalk" in section 12.1-17-07.1.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-eighth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1268.

House Vote: Yeas 89 Nays 2 Absent 3

Senate Vote: Yeas 46 Nays 0 Absent 1

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2023.

Approved at _____ M. on _____, 2023.

Governor

Filed in this office this _____ day of _____, 2023,

at _____ o'clock _____ M.

Secretary of State