

**Sixtieth Legislative Assembly of North Dakota
In Regular Session Commencing Wednesday, January 3, 2007**

SENATE BILL NO. 2378
(Senators Olafson, Fiebiger, Lyson, Nething)
(Representatives Berg, DeKrey)

AN ACT to amend and reenact section 29-06-05.2 of the North Dakota Century Code, relating to the authority of a federal law enforcement agent to make an arrest for a violation of state law.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 29-06-05.2 of the North Dakota Century Code is amended and reenacted as follows:

29-06-05.2. Federal ~~bureau of investigation~~ law enforcement officer - Authority to make arrests.

1. "~~Special~~ Federal agent" means an employee of the federal bureau of investigation or the federal drug enforcement administration who is authorized to arrest, with or without a warrant, any individual for a violation of the United States Code and carry a firearm in the performance of the employee's duties as a federal law enforcement officer.
2. A ~~special~~ federal agent has the same authority and immunity as a peace officer in this state when making an arrest for a nonfederal crime if any of the following exist:
 - a. The ~~special~~ federal agent has reasonable grounds to believe that a felony offense was committed and the ~~person~~ individual arrested committed the offense.
 - b. The ~~special~~ federal agent is rendering assistance to a peace officer in an emergency or at the request of the peace officer.
 - c. The ~~special~~ federal agent is working as a part of a task force composed of North Dakota peace officers and federal law enforcement officers.

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixtieth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2378.

Senate Vote: Yeas 45 Nays 0 Absent 2

House Vote: Yeas 89 Nays 0 Absent 5

Secretary of the Senate

Received by the Governor at _____ M. on _____, 2007.

Approved at _____ M. on _____, 2007.

Governor

Filed in this office this _____ day of _____, 2007,
at _____ o'clock _____ M.

Secretary of State