Sixty-fourth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 6, 2015

SENATE BILL NO. 2275
(Senators Luick, Burckhard, Laffen, Larsen, Miller)
(Representative Ruby)

AN ACT create and enact a new section to chapter 12.1-41 of the North Dakota Century Code, as created by section 2 of Senate Bill No. 2107, as approved by the sixty-fourth legislative assembly, relating to a forced or coerced abortion performed on a victim of human trafficking; and to provide a penalty.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 12.1-41 of the North Dakota Century Code, as created by section 2 of Senate Bill No. 2107, as approved by the sixty-fourth legislative assembly, is created and enacted as follows:

Forced or coerced abortion.

1. As used in this section:

   a. "Forces or coerces" means committing, attempting to commit, or threatening to commit physical harm to the woman, the unborn child, or another individual intended to compel a victim of an offense under section 12.1-41-02, 12.1-41-03, or 12.1-41-04 to have an abortion performed against her will.

   b. "Threat" means at least one statement, or a course of conduct by the defendant, which places one in reasonable apprehension that the individual will follow through with the statement or act as implied by the defendant's course of conduct. The term does not include constitutionally protected speech or any generalized statement regarding a lawful pregnancy option.

2. A forced or coerced abortion during the commission of an offense under section 12.1-41-02, 12.1-41-03, or 12.1-41-04 occurs when the defendant forces or coerces a victim of the offense to have an abortion against her will.

3. Upon the request of the victim, a law enforcement agency investigating a violation of this section shall notify the victim not less than twenty-four hours before initially contacting the individual alleged to have committed a violation of this section.

4. If the trier of fact finds that a forced or coerced abortion occurred during the commission of an offense under section section 12.1-41-02, 12.1-41-03, or 12.1-41-04, the court may sentence the defendant to be imprisoned for up to five years in addition to the period of imprisonment prescribed for the offense.

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 Sixty-fourth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2275.

Senate Vote:	Yeas 46	Nays 1	Absent 0
House Vote:	Yeas 93	Nays 0	Absent 1

Secretary of the Senate

Received by the Governor at 2:19 P. M. on April 16, 2015.

Approved at 10:37 A. M. on April 20, 2015.

Governor

Filed in this office this 20th day of April, 2015,

at 2:33 o'clock P. M.

Secretary of State