

TWENTY-THIRD NORTHERN MARIANAS COMMONWEALTH

LEGISLATURE

IN THE HOUSE OF REPRESENTATIVES

Regular Session, 2023

H. B. 23- 63

A BILL FOR AN ACT

To require business establishments to install digital closed circuit television cameras and for other purposes.

BE IT ENACTED BY THE 23RD NORTHERN MARIANAS
COMMONWEALTH LEGISLATURE:

1 **Section 1. Short Title.** This Chapter may be cited as “Digital Closed Circuit
2 Television Camera Act of 2023”.

3 **Section 2. Findings and Purpose.** Many crimes are being committed by by
4 breaking into and forcing access to business establishments. However, there have
5 been crimes resolved through the use of Closed-Circuit Television Cameras,
6 commonly known as “CCTV”. Thus, to secure businesses, assist law enforcers,
7 increase safety and security of businesses and the general public, and to discourage
8 crime, all CNMI businesses, unless exempt by law, shall install at their entrance
9 points, exit points, and check-out counters, CCTVs. These CCTVs shall record 24
10 hours a day, seven days a week, and keep all recordings for 60 days.

11 Further, these CCTVs shall be installed as a mandatory and prerequisite step
12 in the business license application process for new establishments or renewal for

1 those renewing business licenses. For the sake of convenience, businesses shall
2 have 120 days to comply by notifying the Department of Public Safety of
3 installation and operation. Each business must acquire a compliance certificate
4 from the Department of Public Safety for submission to the Department of Finance,
5 Division of Business Licenses.

6 **Section 3. Enactment.** The following is hereby enacted subject to
7 codification by the CNMI Law Review Commission.

8 **“Section 101. Digital Closed Circuit Television Camera Act of 2023.**

9 (a) All CNMI businesses, except in open field areas of farms and on
10 mobile vending structures that are parked temporarily for an event or in private
11 properties after business hours, shall be required to install digital Closed Circuit
12 Television Cameras (CCTVs) on their premises in the following areas:

- 13 1) All access points,
- 14 2) All exit points,
- 15 3) All check-out counter points;

16 (b) CCTVs shall continuously record 24 hours a day and 7 days a week.
17 All recordings shall be safely and securely retained for 60 days;

18 (c) The businesses shall install digital cameras in color to enhance
19 investigation capabilities;

1 (d) CCTVs shall not be installed or operate, view, or record, in areas
2 where a person has a reasonable expectation of privacy, such as the bathrooms,
3 hotel rooms, and changing and shower rooms or locker rooms;

4 (e) CCTVs shall be installed during or prior to the business license
5 application's submission, accompanied by a certificate of compliance issued from
6 the Department of Public Safety or a notice from the Department of Public Safety
7 certifying the grant of a 120-day grace period for compliance;

8 (1) The business shall submit a certificate of compliance to the
9 Department of Finance, Business License Division, no later than 120 days
10 from the date of notice to comply with the grace period certification.

11 (f) Notice of the Closed-Circuit Television Cameras shall be prominently
12 posted to provide visually noticeable and immediate notice to the public in English
13 and other languages reasonably expected by the businesses to effectively
14 communicate the existence of CCTV to its patrons or customers.

15 **Section 102. Scope of Applicability.**

16 Unless otherwise provided for by law, and with the exception of Section
17 101 (a), exempting open fields of farms and structures that are mobile and move
18 from area to area, this Act shall apply to all CNMI businesses, including but not
19 limited to grocery/retail stores, restaurants, bars, supermarkets, warehouses,
20 pawnshops, nightclubs, poker parlors, the farm produces retail shops, fishing, and

1 tour boats or ships moored at docking areas or piers. This provision shall not apply
2 to business that lack a fixed place of business.

3 **Section 103. Enforcement and Penalties.**

4 (a) The Department of Public Safety (DPS) shall promulgate rules and
5 regulations, inclusive of any fees, fines, or penalties, and be responsible for
6 inspecting business establishments to certify compliance.

7 (b) The DPS shall issue a certificate of compliance which shall be
8 submitted with the business license applications for new businesses or businesses
9 renewing their business license.

10 (c) Any violations of this Act and rules and regulations promulgated
11 pursuant to (a) of this Section shall render the violator ineligible for issuance of a
12 compliance certificate which shall bar acceptance of business license applications
13 and business license application approval without securing a notice certifying the
14 grant of the 120-day grace period allowed by this Act.

15 **Section 104. Disposition of Fines.**

16 (a) Notwithstanding any laws or provisions to the contrary, 25% of all
17 fees, fines, and penalties collected pursuant to this Act shall be collected in the
18 manner prescribed by 6 CMC section 4119 (c) provided however that 25% shall be
19 deposited into an account created by the Department of Finance for the benefit of
20 the DPS with the Commissioner of the DPS as the sole expenditure authority.
21 Provided further that DPS shall establish a program to subsidize the purchase and

1 installation of CCTVs at qualified business establishments that demonstrated
2 financial hardship. 25% shall be deposited into an account at the Department of
3 Finance with the Secretary of Finance as the expenditure authority for the benefit
4 of the Department of Community and Cultural Affairs, Division of Youth Services,
5 and CNMI Public School System for crime prevention and rehabilitation programs
6 which are collaborated and jointly created by the Division of Youth Services and
7 the CNMI Public School System.”

8 **Section 4. Severability.** If any provisions of this Act or the application of
9 any such provision to any person or circumstance should be held invalid by a court
10 of competent jurisdiction, the remainder of this Act or the application of its
11 provisions to persons or circumstances other than those to which it is held invalid
12 shall not be affected thereby.

13 **Section 5. Savings Clause.** This Act and any repealer contained herein
14 shall not be construed as affecting any existing right acquired under contract or
15 acquired under statutes repealed or under any rule, regulation, or order adopted
16 under the statutes. Repealers contained in this Act shall not affect any proceeding
17 instituted under or pursuant to prior law. The enactment of the Act shall not have
18 the effect of terminating, or in any way modifying, any liability, civil or criminal,
19 which shall already be in existence on the date this Act becomes effective.

20 **Section 6. Effective Date.** This Act shall take effect upon its approval by
21 the Governor, or its becoming law without such approval.

Prefiled: 7/3/2023

Date: _____

Introduced by: Jan

Rep. Julie M. A. Ogo

Reviewed for Legal Sufficiency by:

Joseph A. Day
House Legal Counsel

Jan
Manogetmai ~~*Foto*~~
[Signature]
[Signature]
[Signature]
~~*[Signature]*~~
[Signature]