

TWENTY-THIRD NORTHERN MARIANAS COMMONWEALTH

LEGISLATURE

IN THE HOUSE OF REPRESENTATIVES

September 7, 2023

Second

Regular Session, 2023

H. B. 23-73

A BILL FOR AN ACT

To amend 1 CMC § 7406 (a)(4) to include the Office of the Public Auditor (OPA) vehicles in the definition of "Law enforcement vehicle".

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

1 **Section 1. Findings and Purpose.** The Legislature acknowledges the
2 indispensable role of the Office of the Public Auditor (OPA) in ensuring
3 governmental accountability and upholding public trust. The Office's activities,
4 which include audits, investigations, and oversight, frequently overlap with the
5 responsibilities of traditional law enforcement agencies. Despite this overlap, the
6 current legislative definition of "Law enforcement vehicles" does not include
7 vehicles operated by the Office of the Public Auditor (OPA). This oversight can
8 lead to operational ambiguities and potentially jeopardize the safety of the
9 Auditor's staff and the public during their activities.

10 With these considerations in mind, the intent of this legislation is to clarify
11 and amend the definition of "Law enforcement vehicle" to incorporate vehicles
12 operated by the Office of the Public Auditor (OPA). By doing so, this legislation

1 seeks to recognize the Auditor’s crucial role in the Commonwealth’s legislative and
2 oversight framework and ensure their operational efficiency and safety.

3 **Section 2. Amendment.** 1 CMC § 7406 (a)(4) is hereby amended to read
4 as follows:

5 “(4) “Law enforcement vehicle” means police cars and other such
6 government vehicles operated by the Department of Public Safety, Alcohol
7 Beverage and Tobacco Control (ABTC) Division, Division of Customs, or
8 the Office of the Public Auditor and used primarily for the enforcement of
9 Commonwealth or federal laws and regulations.

10 **Section 3. Severability.** If any provisions of this Act or the application of
11 any such provision to any person or circumstance should be held invalid by a court
12 of competent jurisdiction, the remainder of this Act or the application of its
13 provisions to persons or circumstances other than those to which it is held invalid
14 shall not be affected thereby.

15 **Section 4. Savings Clause.** This Act and any repealer contained herein
16 shall not be construed as affecting any existing right acquired under contract or
17 acquired under statutes repealed or under any rule, regulation, or order adopted
18 under the statutes. Repealers contained in this Act shall not affect any proceeding
19 instituted under or pursuant to prior law. The enactment of the Act shall not have
20 the effect of terminating, or in any way modifying, any liability, civil or criminal,
21 which shall already be in existence on the date this Act becomes effective.

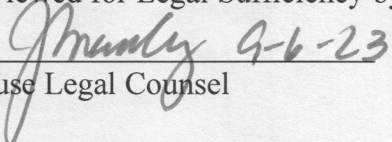
1 **Section 5. Effective Date.** This Act shall take effect upon its approval by
2 the Governor, or its becoming law without such approval.

Prefiled: 9/6/2023

Date: _____

Introduced by: 
Rep. Diego V. F. Camacho

Reviewed for Legal Sufficiency by:

 9-6-23
House Legal Counsel

