



Arnold I. Palacios
Governor

David M. Apatang
Lieutenant Governor

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
OFFICE OF THE GOVERNOR

12 DEC 2023

GOV 2024-130

The Honorable Edith E. Deleon Guerrero
President of the Senate
Twenty-Third Northern Marianas
Commonwealth Legislature
Saipan, MP 96950

The Honorable Edmund S. Villagomez
Speaker, House of Representatives
Twenty-Third Northern Marianas
Commonwealth Legislature
Saipan, MP 96950

Dear Madame President and Mr. Speaker:

This is to inform you that I have signed into law **Senate Bill No. 23-34, SD1** entitled, "To amend the Crimes and Criminal Procedure Code definitions of dangerous weapon and serious bodily injury," which was passed by the Senate and the House of Representatives of the Twenty-Third Northern Marianas Commonwealth Legislature.

This bill becomes **Public Law No. 23-14**. Copies bearing my signature are forwarded for your reference.

Sincerely,


ARNOLD I. PALACIOS
Governor

cc: Lieutenant Governor; Attorney General; Commonwealth Law Revision Commission;
Public Auditor; Department of Public Safety; Department of Corrections;
Special Assistant for Administration; Programs and Legislative Review Office



THE SENATE

Twenty-Third Northern Marianas Commonwealth Legislature

P. O. Box 500129

Saipan, MP 96950

November 09, 2023

The Honorable Arnold I. Palacios
Governor
Commonwealth of the Northern Mariana Islands
Saipan, MP 96950

Dear Governor Palacios:

I have the honor of transmitting herewith for your action **Senate Bill No. 23-34, SD1** entitled, "To amend the Crimes and Criminal Procedure Code definitions of dangerous weapon and serious bodily injury," which was passed by the Senate and the House of Representatives of the Twenty-Third Northern Marianas Commonwealth Legislature.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dolores S. Bermudes".

Dolores S. Bermudes
Senate Clerk

Attachment

PROGRAMS & LEGISLATIVE REVIEW
RECEIVED BY: Amy
DATE & TIME: 11/09/2023 | 3:40 pm



THE SENATE
TWENTY-THIRD NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

SENATE BILL NO. 23-34, SD1

AN ACT

To amend the Crimes and Criminal Procedure Code definitions of dangerous weapon and serious bodily injury.

SENATE ACTION

Offered by Senator(s): Karl R. King-Nabors

Date: March 08, 2023

Referred to: Committee on Judiciary, Government and Law

Standing Committee Report No.: 23-55 Adopted on 10/24/23

Final Reading: October 24, 2023

HOUSE ACTION

Referred to: None

Standing Committee Report No.: None

First and Final Reading: November 06, 2023

A blue ink signature of Senator Celina R. Babauta, written in a cursive style.

Senator Celina R. Babauta
SENATE LEGISLATIVE SECRETARY



THE SENATE
TWENTY-THIRD NORTHERN MARIANAS COMMONWEALTH LEGISLATURE
FIRST REGULAR SESSION, 2023 **S.B. NO. 23-34, SD1**

A BILL FOR AN ACT

To amend the Crimes and Criminal Procedure Code definitions of dangerous weapon and serious bodily injury.

**BE IT ENACTED BY THE TWENTY-THIRD NORTHERN MARIANAS
 COMMONWEALTH LEGISLATURE:**

1 **Section 1. Short Title.** This Act may be referred to as the “End the Violence Act”
 2 and may be referred to as the EVA statute.

3 **Section 2. Purpose.** The purpose of the Act is to make expressly clear that the
 4 definition of “dangerous weapon” includes anything used by a person to inflict serious bodily
 5 injury on another person. This Act also clarifies the definition of serious bodily injury. The
 6 amendments are based on Texas Penal Code § 1.07(a)(17) and § 1.07(a)(46).

7 Recent cases have shown some confusion in court with the application of the
 8 definition of a dangerous weapon to assault and battery cases. In particular, an attack by an
 9 inmate in prison with a handmade weapon was dismissed despite the danger of serious injury
 10 through the use of a shank.

11 Cases in which a criminal defendant, especially an inmate, uses some sort of weapon
 12 present the greatest danger to the public and victims. Prosecution of those cases should be a
 13 priority, and increased punishment is justified by the choice of the defendant to use a weapon
 14 that increases the danger of injury to a victim. This bill clarifies the definition, simplifies the
 15 level of threatened or actual injury and emphasizes to the courts in the application of law that
 16 anything may be treated as a dangerous weapon through the manner of its use or intended use,
 17 regardless whether there was actual loss of life or substantial risk of death.

SENATE BILL NO. 23-34, SD1

1 **Section 3. Amendment.** 6 CMC § 102(f) is hereby amended to read as follows:

2 “(f) “Dangerous weapon” means

3 (1) any automatic weapon, dangerous device, firearm, gun, handgun, long gun,
4 semiautomatic weapon, knife, machete ~~or other thing by which a fatal wound or injury~~
5 ~~may be inflicted, spear gun, shank, shiv, or any thing used by a person in custody,~~
6 ~~shall be considered a dangerous weapon;~~ or

7 (2) anything manifestly designed, made, ~~modified~~ or adapted for the purpose of
8 inflicting death or serious bodily injury; or

9 (3) anything that in the manner of its use or intended use is capable of causing
10 death or serious bodily injury, regardless whether death or serious bodily injury
11 actually occurred.; ~~or~~

12 ~~(4) causes other injury of like severity.”~~

13 **Section 4. Amendment.** 6 CMC § 103(n) is hereby amended as follows:

14 “(n) “Serious bodily injury” means bodily injury ~~which that~~

15 ~~(1) creates a high probability risk of death or causes death.;~~ ~~or~~

16 ~~(2) which causes serious permanent disfigurement.;~~ or

17 ~~(3) which causes a permanent or protracted loss or impairment of the function of any bodily~~
18 ~~member, or organ, or mental faculty.;~~ ~~or~~

19 ~~(4) causes other bodily injury of like severity.”~~

20 **Section 5. Severability.** If any provision of this Act or the application of any such
21 provision to any person or circumstance should be held invalid by a court of competent
22 jurisdiction, the remainder of this Act or the application of its provisions to persons or
23 circumstances other than those to which it is held invalid shall not be affected thereby.

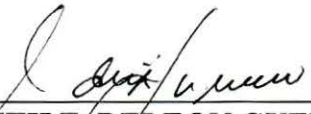
24 **Section 6. Savings Clause.** This Act and any repealer contained herein shall not be
25 construed as affecting any existing right acquired under contract or acquired under statutes
26 repealed or under any rule, regulation, or order adopted under the statutes. Repealers
27 contained in this Act shall not affect any proceeding instituted under or pursuant to prior law.
28 The enactment of the Act shall not have the effect of terminating, or in any way modifying,
29 any liability, civil or criminal, which shall already be in existence on the date this Act

SENATE BILL NO. 23-34, SD1

1 becomes effective.


2 **Section 7. Effective Date.** This Act shall take effect upon its approval by the
3 Governor or becoming law without such approval.

CERTIFIED BY:




EDITH E. DELEON GUERRERO
PRESIDENT OF THE SENATE

ATTESTED BY:



CELINA R. BABAUTA
SENATE LEGISLATIVE SECRETARY

Approved this 12th day of December, 2023



ARNOLD I. PALACIOS
Governor
Commonwealth of the Northern Mariana Islands