

TWENTY-FOURTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

FIRST REGULAR SESSION, 2025

S.B. NO. 24-28, SD1

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**A BILL FOR AN ACT**

To amend 6 CMC § 3113; to establish disorderly conduct and public intoxication crimes; and for other purposes.

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

1           **Section 1. Short Title.** This Act may be cited as the “Disorderly Conduct and  
2 Public Intoxication Act of 2025”.

3           **Section 2. Findings and Purpose.** The Legislature finds that the Marianas  
4 Visitors Authority is striving to promote the Marianas that is a “Premier Destination” for  
5 visitors. In addition to maintaining and sprucing up our islands and tourist and historical  
6 sites, the Legislature finds that laws must be in place to protect the health, safety, and  
7 welfare of our visitors as well as the general public. It is necessary to improve the CNMI’s  
8 “Premier Destination and Image” by prohibiting disorderly conduct including loitering,  
9 public intoxication and unsightly, unwanted, undesirable, unwelcoming and even  
10 dangerous (etc., etc.) behaviors displayed or acted on by individuals who intrude or impose  
11 unwanted conduct or actions against our community members or residents as well as our  
12 tourists and visitors at public places near business establishments and tourist sites and  
13 historical sites identified and recognized by the Marianas Visitors Authority.

14           The Legislature further finds that disorderly conduct and public intoxication  
15 negatively impact businesses because the violator may harass and/or intimidate patrons or  
16 potential customers, which will most likely cause the patrons to leave or discourage them  
17 from entering the establishment. Consequently, this disorderly conduct harms businesses  
18 and causes them to lose customers and revenue. In addition to businesses, disorderly  
19 conduct and public intoxication at public places like the tourist sites and historical sites  
20 harm the CNMI’s reputation as a safe and friendly “Premier Destination” for all visitors.

1 The Legislature must do its part in supporting the Marianas Visitors Authority’s efforts in  
2 promoting the CNMI as a safe, clean, and world-class destination. Accordingly, the  
3 purpose of this legislation is to amend 6 CMC § 3113 and to establish disorderly conduct  
4 and public intoxication crimes.

5 **Section 3. Amendment.** 6 CMC § 3113 is amended to read as follows:

6 **“§ 3113. Loitering Outside a Business Establishment on a Public Thoroughfare**  
7 **or Tourist Site is for the Purpose of Luring, Enticing, or Soliciting Persons for**  
8 **Commercial Gain is Hereby Prohibited.**

9 (a) A person commits loitering if the person is found on a public thoroughfare or  
10 tourist site engaged in the following conduct:

11 (1) Attempting ~~more than one time~~ to stop or detain a person by shouting,  
12 loudly calling, or beckoning to a person to lure, entice, or solicit a person for  
13 commercial gain, whether for legal or illegal purposes; or

14 (2) Attempting to stop or detain a person by physically touching or grabbing  
15 a person for the purpose of handing out fliers or handbills regarding a commercial  
16 enterprise for a fee or to lure, entice, or solicit a person for commercial gain,  
17 whether for legal or illegal purposes.

18 (3) Following or attempting to follow a person for the purpose of handing  
19 out fliers or handbills regarding a commercial enterprise for a fee or to lure, entice,  
20 or solicit a person for commercial gain, whether for legal or illegal purposes.

21 (b) ~~Public thoroughfare~~ For the purposes of this section:

22 (1) “Public thoroughfare” shall mean any sidewalk, square, mall, parking  
23 lot, street, or beach area.

24 (2) “Tourist site” means any tourist site or historic site in the CNMI that is  
25 identified or recognized by the Marianas Visitors Authority.

26 (c) Penalties.

27 (1) A person convicted of loitering under this section is punishable ~~may be~~  
28 ~~punished~~ by fine of not more than \$500 ~~\$1000~~ and by imprisonment of not more  
29 than 30 days.

1                   (2) A second or subsequent conviction under this section is punishable by  
2                   a fine of not more than \$1000 and by imprisonment of not more than one year.”

3                   **Section 4. Amendment.** Title 6, Division 3, Chapter 1, Article 1 of the  
4 Commonwealth Code is hereby amended by adding a new section 3119 to read as follows:

5                   **“§ 3119. Disorderly Conduct & Public Intoxication Prohibited.**

6                   A person who commits any of the following acts is guilty of disorderly conduct, a  
7 misdemeanor:

8                   (a) A person who solicits anyone to engage in or who engages in lewd or dissolute  
9 conduct in any public place or in any place open to the public or exposed to public view.

10                  (b) A person who loiters in or about any toilet at a public place for the purpose of  
11 engaging in or soliciting any lewd or lascivious or any unlawful act.

12                  (c) A person who lodges in any public building, structure, vehicle, or place, whether  
13 public or private, without the permission of the owner or person entitled to the possession  
14 or in control of it.

15                  (d) Public Intoxication.

16                         (1) If a person is found in any public place under the influence of  
17 intoxicating liquor, any drug, controlled substance, or toluene or any combination  
18 of any intoxicating liquor, drug, controlled substance, or toluene in a condition such  
19 that the person is unable to exercise care for his or her own safety or endangers the  
20 safety of others or property, or

21                         (2) If a person is found in a public place and by reason of being under the  
22 influence of intoxicating liquor, any drug, controlled substance, or toluene or any  
23 combination of any intoxicating liquor, drug, or toluene, interferes with or obstructs  
24 or prevents the free use of any street, sidewalk, parking lot or other public way.

25                  (e) For the purposes of this section:

26                         (1) “Lewd conduct or acts” means acts that take place to arouse or gratify a  
27 person or someone else’s sexual desires including touching, fondling and  
28 masturbating.

1           (2) “Loiter” means to delay or linger without a lawful purpose for being at  
2 the public place and for the purpose of committing a crime as opportunity may be  
3 discovered.

4           (3) “Public” or public places” means any sidewalk, square, mall, parking  
5 lot, street, or beach area located at the central business district in Garapan, Saipan,  
6 especially near and around hotel and motel establishments, and all tourist sites  
7 located in the CNMI.

8           (4) “Tourist sites” means tourist sites and historic sites in the CNMI that are  
9 identified or recognized by the Marianas Visitors Authority.

10 (f) Penalties.

11           (1) A person convicted of disorderly conduct under this section may be  
12 punished by fine of not ~~more than \$500~~ less than \$250 and ~~by imprisonment of not~~  
13 ~~more than 30~~ 100 days of community service.

14           (2) A second ~~or subsequent~~ violation of any provision of this section is  
15 punishable by a fine of not ~~more than \$2,000~~ less than \$500 and ~~by imprisonment~~  
16 ~~of not more than one year~~ 200 hours of community service.

17           (3) A third or subsequent violation of any provision of this section is  
18 punishable by being banned from the premises for one year, or fined not more than  
19 \$5,000, or by imprisonment for 30 days.”

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  
25 be construed as affecting any existing right acquired under contract or acquired under  
26 statutes repealed or under any rule, regulation, or order adopted under the statutes.  
27 Repealers contained in this Act shall not affect any proceeding instituted under or pursuant  
28 to prior law. The enactment of the Act shall not have the effect of terminating, or in any

1 way modifying, any liability, civil or criminal, which shall already be in existence on the  
2 date this Act becomes effective.

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

Date: 03/06/25

Introduced By: /s/ \_\_\_\_\_  
Sen. Corina L. Magofna

Reviewed for Legal Sufficiency by:

/s/ Antonette R. Villagomez  
Senate Legal Counsel