

SENATE BILL NO. 2240

Introduced by

Senators Lee, B. Stenehjem, DeMers

Representatives Carlson, Poolman

1 A BILL for an Act to amend and reenact section 5-01-05.1 of the North Dakota Century Code,
2 relating to public intoxication.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 5-01-05.1 of the 1997 Supplement to the North
5 Dakota Century Code is amended and reenacted as follows:

6 **5-01-05.1. Public intoxication - Assistance - Medical care.** A peace officer has
7 authority to take any apparently intoxicated person to the person's home, to a local hospital, to
8 a detoxification center, or, whenever that person constitutes a danger to that person or others,
9 to a jail for purposes of detoxification. A duly licensed physician of a local hospital or a licensed
10 addiction counselor of a detoxification center has authority to hold that person for treatment up
11 to seventy-two hours. That intoxicated person ~~must~~ may not be held in jail because of
12 intoxication more than twenty-four hours. An intoxicated person may not be placed in a jail
13 unless a jailer is constantly present within hearing distance and medical services are provided
14 when the need is indicated. ~~Upon placing that person in a hospital, detoxification center, or jail,~~
15 ~~the peace officer shall notify the intoxicated person's family as soon as possible.~~ Any additional
16 costs incurred by the city or county on account of an intoxicated person shall be recoverable
17 from that person.