

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1458

Page 1, line 1, after "Act" insert "to provide for the deposit of bond forfeitures in the county treasury;"

Page 1, line 2, after the fourth comma insert "29-26-22, 29-27-02.1,"

Page 1, line 3, after "court" insert "and bond forfeitures"

Page 6, after line 18, insert:

"SECTION 6. Deposit of bond forfeitures. Except for forfeitures of bail bond or other property or money deposited as bail under section 29-27-02.1, all bond forfeitures collected by the clerk of district court for violations of state law must be deposited in the county treasury."

Page 7, after line 9, insert:

"SECTION 8. AMENDMENT. Section 29-26-22 of the 1997 Supplement to the North Dakota Century Code is amended and reenacted as follows:

29-26-22. Judgment for fines, costs, and court administration fee - Statement to be filed by court - Docketing and enforcement. In all criminal cases upon a plea or finding of guilt, a court administration fee of up to thirty percent of the maximum allowable fine for the offense may be taxed against the defendant in lieu of the assessment of court costs. If the court does assess costs as part of its sentence, the court shall include in the judgment the facts justifying the amount assessed. District court costs, ~~and~~ administration fees, ~~and forfeitures~~ must be deposited in the state general fund. A judgment that the defendant pay a fine, costs, or court administration fee, or any combination thereof, may be docketed, and thereafter constitutes a lien upon the real estate of the defendant in like manner as a judgment for money rendered in a civil action. The court may allow the defendant to pay any assessed costs or administrative fee in installments. When a defendant is assessed costs or administrative fees, the court may not impose at the same time an alternative sentence to be served if the costs are not paid.

SECTION 9. AMENDMENT. Section 29-27-02.1 of the 1997 Supplement to the North Dakota Century Code is amended and reenacted as follows:

29-27-02.1. Disposition of statutory fees, fines, ~~forfeitures~~, pecuniary penalties, and bond forfeitures. Except as otherwise provided by law, all statutory fees, fines, ~~forfeitures~~, and pecuniary penalties prescribed for a violation of state laws, when collected, must be paid into the treasury of the proper county to be added to the state school fund. When any bail bond or other property or money deposited as bail is forfeited to the state, the proceeds collected therefrom must be paid over to the proper state official and credited to the state general fund."

Renumber accordingly