

**FIRST ENGROSSMENT
with Senate Amendments**

Fifty-seventh
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1478

Introduced by

Representatives Monson, Belter

Senators Lyson, G. Nelson, Trenbeath

(Approved by the Delayed Bills Committee)

1 A BILL for an Act to create and enact a new section to chapter 12-44.1 of the North Dakota
2 Century Code, relating to charging inmates for room and board at correctional facilities.

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

4 **SECTION 1.** A new section to chapter 12-44.1 of the North Dakota Century Code is
5 created and enacted as follows:

6 **Room and board - Costs to be paid by inmate.**

7 1. The administrator of a correctional facility may charge an inmate who is eighteen
8 years of age or older and who has been convicted of a criminal offense or
9 sentenced for contempt of court for a violation of a domestic violence order for the
10 room and board provided to the inmate while confined in the correctional facility.

11 The amount charged may not exceed twenty dollars per day. Any moneys
12 collected under this section must be credited to the general fund of the governing
13 body of the correctional facility. If an inmate fails to pay for room and board, the
14 administrator may file a room and board reimbursement claim with the district
15 court. The reimbursement claim must include the following information:

- 16 a. The name, date of birth, and social security number of the inmate who is the
- 17 subject of the claim.
- 18 b. The offense for which the inmate was confined.
- 19 c. A statement that the notice is being filed as provided by this section.
- 20 d. The amount of room and board charges the inmate owes.

21 2. Upon receipt of a claim for room and board reimbursement and after notice to the
22 inmate and opportunity for a hearing, the district court may approve the claim for
23 the amount owed by the inmate and any fees associated with the filing of the
24 claim. After a claim is approved by the court, the claim for the amount owed by the

- 1 person has the effect of a judgment for purposes of enforcement. However, the
2 judgment does not have priority over a claim for child support obligations owed by
3 the inmate.
- 4 3. The governing body shall use any moneys collected under this section for the
5 following purposes:
- 6 a. Courthouse security equipment, correctional personnel costs, and law
7 enforcement personnel costs.
- 8 b. Infrastructure improvements of a correctional facility, including construction or
9 remodeling costs.
- 10 c. Infrastructure improvements of a juvenile detention facility, including
11 construction or remodeling costs.
- 12 4. An administrator may submit a plan or recommendations to the governing body of
13 the correctional facility for the use of the funds collected under this section. The
14 governing body shall review the plan or recommendations during the normal
15 budget process of the governing body.
- 16 5. This section does not limit the right of an administrator to obtain any other remedy
17 authorized by law.