

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1363

Page 1, line 3, after "12.1-17-01" insert "and subsection 1 of section 12.1-32-07"

Page 1, line 4, after "case" insert "and supervision of probation"

Page 1, line 17, after "14-07.1-01" insert "and the actor has a prior conviction for an offense of domestic violence as defined in subsection 2 of section 14-07.1-01. For purposes of this subdivision, a prior conviction includes a conviction of an offense under a law or ordinance of another state which is equivalent to this section"

Page 1, line 22, replace "for an" with "to complete"

Page 1, line 23, remove "assessment and counseling with", after "violence" insert "offender treatment", and remove "or other agency that"

Page 2, line 1, remove "provides professional services"

Page 2, after line 2, insert:

"SECTION 3. AMENDMENT. Subsection 1 of section 12.1-32-07 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

1. When the court imposes probation upon conviction for a felony, the court shall place the defendant under the supervision and management of the department of corrections and rehabilitation. In class A misdemeanor cases, except for a violation of subdivision b of subsection 2 of section 12.1-17-01, the court may place the defendant under the supervision and management of the department of corrections and rehabilitation or other responsible party. In all other cases, the court may place the defendant under the supervision and management of a community corrections program other than the department of corrections and rehabilitation. If an appropriate community corrections program is not reasonably available, the court may place the defendant under the supervision and management of the department of corrections and rehabilitation. The department of corrections and rehabilitation may arrange for the supervision and management of the defendant by a community corrections program selected by the department of corrections and rehabilitation. A community corrections program means a program for the supervision of a defendant, including monitoring and enforcement of terms and conditions of probation set by the court or pursuant to a conditional release from the physical custody of a correctional facility or the department of corrections and rehabilitation."

Re-number accordingly