

**FIRST ENGROSSMENT
with House Amendments**

ENGROSSED SENATE BILL NO. 2339

Introduced by

Senators Lyson, Nelson

Representatives DeKrey, Wieland

1 A BILL for an Act to provide for the interstate transfer or travel of probationers; and to provide
2 an appropriation.

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

4 **SECTION 1. Interstate transfer or travel of probationers - Fees.**

- 5 1. Upon the approval by the department of corrections and rehabilitation of a request
6 of a probationer who is under the supervision of the department of corrections and
7 rehabilitation to transfer residence to another state under the interstate compact for
8 adult offender supervision, the probationer shall pay to the department an
9 application fee of one hundred fifty dollars. The department may waive the
10 offender's application fee. If the department waives the offender's payment of the
11 fee, the department shall pay the offender's application fee. In addition to the
12 application fee paid by the probationer or the department, the county having
13 jurisdiction over the probationer, upon approval of the application for transfer, shall
14 pay to the department a fee of one hundred fifty dollars.
- 15 2. Any probationer residing in the state who requests a travel permit to travel to
16 another state shall pay to the department a travel permit fee of ten dollars. In the
17 case of illness or death in the probationer's family, the department may waive the
18 travel permit fee for hardship.
- 19 3. The department shall transfer all funds collected or paid under this section to the
20 state treasury for deposit in the probationer violation transportation fund. The
21 funds deposited in this fund may be spent pursuant to legislative appropriation for
22 the purpose of defraying the costs of returning to the state probationers who
23 violate their conditions of supervision. The department may contract with a private
24 entity to assist in the administration of the fund.

1 4. The department shall adopt rules for implementation of this section.

2 **SECTION 2. APPROPRIATION.** There is appropriated out of any moneys in the
3 probationer violation transportation fund, not otherwise appropriated, the sum of \$165,000, or
4 so much of the sum as may be necessary, to the department of corrections and rehabilitation
5 for the purpose of defraying the costs of returning to the state probationers who violate their
6 conditions of supervision, for the biennium beginning July 1, 2003, and ending June 30, 2005.