

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1277

Page 1, line 3, after "offenders" insert "; and to amend and reenact subdivision b of subsection 3 of section 12.1-08-06 of the North Dakota Century Code, relating to the definition of official detention"

Page 1, underscore lines 7 through 20

Page 1, line 21, underscore "electronic home detention or global positioning system monitoring may be used for" and remove "low-risk,"

Page 1, line 22, remove "nonviolent", underscore "adult and juvenile offenders as selected by the court" and insert immediately thereafter ", the parole board, or the department", and underscore ". Electronic home detention and"

Page 1, underscore lines 23 and 24

Page 2, underscore lines 1 through 13

Page 2, line 14, underscore "1. The participant", replace "must" with "may be required to", and underscore "remain within the interior premises or within the property"

Page 2, underscore line 15

Page 2, line 16, underscore "by the court" and insert immediately thereafter ", the parole board," and underscore "or the department. Instances of approved absences from the"

Page 2, underscore line 17

Page 2, line 18, underscore "a. Work or employment approved by the court" and insert immediately thereafter ", the parole board, or the department" and underscore "or traveling to or from approved"

Page 2, underscore lines 19 and 20

Page 2, line 21, underscore "court" and insert immediately thereafter ", the parole board, or the department" and underscore the semicolon

Page 2, underscore line 22

Page 2, line 23, underscore "programs approved for the participant by the court" and insert immediately thereafter ", the parole board, or the department" and underscore the semicolon

Page 2, underscore line 24

Page 2, line 25, underscore "participant by the court" and insert immediately thereafter ", the parole board, or the department" and underscore the semicolon

Page 2, underscore lines 26 and 27

Page 2, line 28, underscore "approved for the participant by the court" and insert immediately thereafter ", the parole board, or the department" and underscore "; or"

Page 2, underscore line 29

Page 2, line 30, underscore "by the court" and insert immediately thereafter ", the parole board," and underscore "or the department."

Page 3, line 1, underscore "2. The participant must admit any individual or agent designated by the court" and insert immediately thereafter ", the parole board," and underscore "or the"

Page 3, underscore lines 2 through 4

Page 3, line 5, underscore "or agent as designated by the court" and insert immediately thereafter ", the parole board," and underscore "or the department to visit the participant's"

Page 3, underscore lines 6 through 9

Page 3, line 10, underscore "monitoring program as designated by the court" and insert immediately thereafter ", the parole board," and underscore "or the department at any time for"

Page 3, underscore lines 11 through 18

Page 3, line 19, underscore "6. The participant must obtain approval from the court" and insert immediately thereafter ", the parole board," and underscore "or the department before the"

Page 3, underscore lines 20 through 22

Page 3, line 23, underscore "8. The participant must abide by other conditions as set by the court" and insert immediately thereafter ", the parole board," and underscore "or the"

Page 3, underscore lines 24 and 25

Page 3, line 26, underscore "home detention or global positioning system monitoring, the court" and insert immediately thereafter ", the parole board," and underscore "or the department shall"

Page 3, underscore lines 27 through 30

Page 4, underscore lines 1 through 7

Page 4, after line 7, insert:

**"SECTION 2. AMENDMENT.** Subdivision b of subsection 3 of section 12.1-08-06 of the North Dakota Century Code is amended and reenacted as follows:

- b. "Official detention" means arrest, custody following surrender in lieu of arrest, detention in any facility for custody of persons under charge or conviction of an offense or alleged or found to be delinquent, detention under a law authorizing civil commitment in lieu of criminal proceedings or authorizing such detention while criminal proceedings are held in abeyance, detention for extradition, home detention as authorized by section 1 of this Act, or custody for purposes incident to the foregoing, including transportation, medical diagnosis or treatment, court appearances, work, and recreation, or being absent

without permission from any release granted while under custody of a sentence such as work or education release, community confinement, or other temporary leaves from a correctional or placement facility, ~~but~~ ~~official.~~ "Official detention" does not include supervision on probation or parole or constraint incidental to release."

Renumber accordingly