

Fifty-ninth  
Legislative Assembly  
of North Dakota

## REENGROSSED SENATE BILL NO. 2373

Introduced by

Senators Robinson, Brown, Lyson

Representatives DeKrey, Kroeber, Nottestad

1 A BILL for an Act to create and enact a new section to chapter 25-03.1 of the North Dakota  
2 Century Code, relating to the commitment of individuals who are chemically dependent on  
3 methamphetamine or other controlled substances; and to provide a penalty.

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

5 **SECTION 1.** A new section to chapter 25-03.1 of the North Dakota Century Code is  
6 created and enacted as follows:

7 **Commitment of individuals chemically dependent on methamphetamine or other**  
8 **controlled substances - Penalty.**

- 9 1. Subject to the commitment procedures provided for in this chapter, upon petition to  
10 the court by the individual or an immediate family member or guardian of the  
11 individual, the court may order an individual who is chemically dependent on  
12 methamphetamine or other controlled substances to participate in and complete an  
13 appropriate drug treatment program. The court may order any individual who is  
14 reasonably able to do so to contribute to the cost of the individual's own placement  
15 in a drug treatment program. For purposes of this section, "immediate family  
16 member" means a parent, stepparent, child, stepchild, spouse, or sibling.
- 17 2. Upon the issuance of an order imposing the treatment program as provided in  
18 subsection 1, the department of human services shall notify the drug treatment  
19 program provider designated to provide the drug treatment program. Within thirty  
20 days of receiving that notice, the drug treatment program provider shall prepare a  
21 treatment plan and forward it to the court.
- 22 3. If the court determines by clear and convincing evidence that the individual is  
23 chemically dependent on methamphetamine or other controlled substances, the

- 1                    court shall commit the individual to a clinically managed residential substance  
2                    abuse treatment program for treatment and rehabilitation at the state hospital.
- 3            4.    An individual who is subject to an order issued under this section is guilty of a  
4                    class C felony if the court finds that the individual willfully violated the conditions of  
5                    the order.