Sixtieth Legislative Assembly of North Dakota In Regular Session Commencing Wednesday, January 3, 2007

HOUSE BILL NO. 1064 (Transportation Committee) (At the request of the Highway Patrol)

AN ACT to create and enact a new section to chapter 39-03 of the North Dakota Century Code, relating to creation of the highway patrol assets forfeiture fund; and to provide a continuing appropriation.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 39-03 of the North Dakota Century Code is created and enacted as follows:

Highway patrol - Assets forfeiture fund - Purpose - Continuing appropriation. There is created a fund to be known as the highway patrol assets forfeiture fund. The fund consists of funds obtained from moneys, assets, and proceeds seized and forfeited pursuant to section 19-03.1-36, amounts received through court proceedings as restitution, amounts remaining from the forfeiture of property after the payment of expenses for forfeiture and sale authorized by law, and funds received from federal shared forfeiture proceedings. The total amount of deposits into the fund may not exceed three hundred thousand dollars within a biennium and any moneys in excess of that amount must be deposited in the general fund. The funds are appropriated as a continuing appropriation to the highway patrol for the following purposes:

- 1. For paying expenses necessary to inventory, safeguard, maintain, advertise, or sell property seized, detained, or forfeited, pursuant to section 19-03.1-36, or of any other necessary expenses incident to the seizure, detention, or forfeiture of the property.
- 2. For paying overtime compensation incurred as a result of investigations or violations of any state criminal law or law relating to the control of drug abuse.
- 3. For purchasing equipment related to criminal interdiction.
- 4. For paying matching funds required as a condition for receipt of funds from a federal government program awarding monetary grants or assistance for the investigation or apprehension of persons violating the provisions of chapter 19-03.1.

The superintendent of the highway patrol, with the concurrence of the director of the office of management and budget, shall establish the necessary accounting procedures for the use of the fund and shall personally approve, in writing, all requests for the use of the fund.

Sp	Speaker of the House				President of the Senate			
Ch	Chief Clerk of the House					Secretary of the Senate		
This certifies the Assembly of No.	nat the wit orth Dakot	hin bill a and is	originated known on	in the H the reco	louse of Reports of that b	presentative ody as Hous	s of the Sixtieth Leg se Bill No. 1064.	
House Vote:	Yeas	88	Nays	2	Absent	4		
Senate Vote:	Yeas	27	Nays	20	Absent	0		
					Chief	Clerk of the	House	
Received by the	e Governo	or at	M.	on			, 2007.	
Approved at	N	1. on					, 2007.	
					Gove	rnor		
Filed in this office this day of							, 2007,	
at o'	clock	M.						
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					Secre	etary of State)	