

Introduced by

Senators J. Lee, Armstrong, Miller, Poolman, Heckaman

Representative Thoreson

1 A BILL for an Act to amend and reenact subsection 1 of section 12.1-32-07 of the North Dakota
2 Century Code, relating to supervision of defendants for domestic violence offenses.

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

4 **SECTION 1. AMENDMENT.** Subsection 1 of section 12.1-32-07 of the North Dakota
5 Century Code is amended and reenacted as follows:

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