

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1302

Page 1, line 6, after the first semicolon insert "to provide for a legislative management study;"

Page 6, line 20, after the comma insert "if the alcohol concentration is at least eight-hundredths of one percent by weight but less than fifteen-hundredths of one percent by weight, the sentence must include a fine of at least five hundred dollars and an order for an addiction evaluation by an appropriate licensed addiction treatment program. If the alcohol concentration is at least fifteen-hundredths of one percent by weight, or if the individual refused to submit to a chemical test, or a test required under section 39-06.2-10.2, 39-20-01, or 39-20-14,"

Page 7, line 4, replace "year and one" with "hundred eighty"

Page 7, line 13, overstrike "one" and insert immediately thereafter "at least three"

Page 7, line 21, after "sentence" insert "under subsection 3 of section 12.1-32-02 if the alcohol concentration is at least eight-hundredths of one percent by weight but less than fifteen-hundredths of one percent by weight. If the alcohol concentration is at least fifteen-hundredths of one percent by weight, or if the individual refused to submit to a chemical test, or a test required under section 39-06.2-10.2, 39-20-01, or 39-20-14, a municipal court or district court may suspend a sentence"

Page 8, line 17, after "g." insert "If the court sentences an individual to the legal and physical custody of the department of corrections and rehabilitation, the department may place the defendant in an alcohol treatment program designated by the department. Upon the individual's successful completion of the alcohol treatment program, the department shall release the individual from imprisonment to serve the remainder of the sentence of imprisonment on probation, which may include placement in another facility or treatment program. If an individual is placed in another facility or treatment program after release from imprisonment, the remainder of the individual's sentence of imprisonment must be considered time spent in custody. A court may not order the department to be responsible for the costs of treatment in a private treatment facility.

h."

Page 8, line 21, replace "h." with "i."

Page 8, line 23, replace "tests" with "a test"

Page 8, line 25, replace "i." with "j."

Page 10, line 24, remove the overstrike over "~~and shall consent~~"

Page 19, line 31, remove the overstrike over "~~from~~"

Page 19, line 31, remove "electronically posted by"

Page 20, line 1, after "designee" insert ", or electronically posted by the director of the state crime laboratory or the director's designee"

Page 21, remove line 4

Page 21, line 5, remove "designee on the crime laboratory information management system"

Page 21, line 6, remove the overstrike over "~~the director of the state crime laboratory or the director's~~"

Page 21, line 7, remove the overstrike over "designee or" and insert immediately thereafter "electronically posted by the director of the state crime laboratory or the director's designee on the crime laboratory information management system and certified by, and received from."

Page 25, after line 3, insert:

"SECTION 14. LEGISLATIVE MANAGEMENT STUDY - DRIVING UNDER THE INFLUENCE. During the 2013-14 interim, the legislative management shall consider studying the feasibility and desirability of North Dakota Century Code provisions that relate to administrative hearings and administrative sanctions for driving while under the influence of alcohol or drugs. With the assistance of the department of corrections and rehabilitation and the department of human services, the study must include the need for supervision, methods of treatment, and penalties for repeat driving while under the influence of alcohol or drug offenders. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-fourth legislative assembly."

Renumber accordingly