

**Sixty-sixth Legislative Assembly of North Dakota  
In Regular Session Commencing Thursday, January 3, 2019**

SENATE BILL NO. 2153  
(Senators Poolman, Kannianen, D. Larson, Marcellais)  
(Representatives Keiser, Roers Jones)

AN ACT to create and enact a new section to chapter 27-20 of the North Dakota Century Code, relating to cooperative agreements to provide services to juveniles adjudicated in tribal court; to provide for a report to legislative management; and to provide an expiration date.

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

**SECTION 1.** A new section to chapter 27-20 of the North Dakota Century Code is created and enacted as follows:

**Tribal juvenile services cooperative agreement - Report to legislative management.**

1. The department of corrections and rehabilitation, through the division of juvenile services; the supreme court, through the office of the state court administrator; and the Indian affairs commission may negotiate and enter a memorandum of understanding with the tribal government of a federally recognized Indian tribe in the state for the purpose of accepting and providing for, in accordance with this chapter, the treatment and rehabilitation of tribal juveniles who have been adjudicated in tribal court under tribal or federal laws. Under the pilot program and terms of a memorandum of understanding:
  - a. The tribal government and the juvenile court may exchange information relevant to the treatment and rehabilitation needs of a tribal juvenile and the juvenile's family, including tribal court orders, medical and psychiatric reports, law enforcement reports, and other information pertinent to the referral;
  - b. The juvenile court shall provide services based on the individualized need of each tribal juvenile referred to and accepted by both the tribal and juvenile court;
  - c. The juvenile court shall maintain regular contact with the tribe regarding each tribal juvenile who has been placed in the supervision of the juvenile court and shall provide quarterly case plans and more frequent reports if the juvenile's behavior warrants; and
  - d. The juvenile court may limit the number of tribal juveniles accepted based on criteria developed by the juvenile court and the availability of state resources and services.
2. Before July first of each even-numbered year, the department of corrections and rehabilitation, the juvenile court, and the Indian affairs commission shall report and make recommendations to the legislative management on the status, effectiveness, performance, and sustainability of a memorandum of understanding established under this section.

**SECTION 2. EXPIRATION DATE.** This Act is effective through July 31, 2021, and after that date is ineffective.

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-sixth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2153.

Senate Vote:    Yeas 47            Nays 0            Absent 0

House Vote:    Yeas 82            Nays 10           Absent 2

\_\_\_\_\_  
Secretary of the Senate

Received by the Governor at \_\_\_\_\_ M. on \_\_\_\_\_, 2019.

Approved at \_\_\_\_\_ M. on \_\_\_\_\_, 2019.

\_\_\_\_\_  
Governor

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 2019,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State