

SENATE BILL NO. 2246

Introduced by

Senators J. Lee, D. Larson

Representatives M. Johnson, Longmuir

1 A BILL for an Act to amend and reenact section 5-01-05.1 of the North Dakota Century Code,
2 relating to public intoxication.

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

4 **SECTION 1. AMENDMENT.** Section 5-01-05.1 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **5-01-05.1. Public intoxication - Assistance - Medical care.**

- 7 1. As used in this section "intoxicated" means a state in which an individual is under the
8 influence of alcoholic beverages, drugs, or controlled substances, or a combination of
9 alcoholic beverages, drugs, and controlled substances.
- 10 2. A peace officer may take any apparently intoxicated individual to the individual's home,
11 to a local hospital, to a detoxification center, or, whenever that individual constitutes a
12 danger to that individual or others, to a jail. A tier 1b mental health professional, as
13 defined under section 25-01-01, of a local hospital may hold that individual for
14 treatment up to seventy-two hours. ~~That~~
- 15 3. An intoxicated individual may not be held in jail because of intoxication more than
16 twenty-four hours. An intoxicated individual may not be placed in a jail unless a jailer is
17 constantly monitoring the individual and medical services are provided if the need is
18 indicated.
- 19 4. Upon placing that individual in jail, or if the individual is admitted to a hospital or
20 detoxification center, upon admission, the peace officer shall make a reasonable effort
21 to notify the intoxicated individual's family as soon as possible.
- 22 5. Any additional costs incurred by the city, county, ambulance service, or medical
23 service provider on account of an intoxicated individual are recoverable from that
24 individual.