

Introduced by

Senators J. Roers, Dwyer, Hogue

Representatives Klemin, Roers Jones

1 A BILL for an Act to amend and reenact subsection 6 of section 12.1-32-07 of the North Dakota
2 Century Code, relating to the authority of district court judges to revoke and modify criminal
3 sentences.

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

5 **SECTION 1. AMENDMENT.** Subsection 6 of section 12.1-32-07 of the North Dakota
6 Century Code is amended and reenacted as follows:

7 6. The court, upon notice to the probationer and with good cause, may modify or enlarge
8 the conditions of probation at any time ~~prior to~~before the expiration or termination of
9 the period for which the probation remains conditional. If the defendant violates a
10 condition of probation at any time before the expiration or termination of the period, the
11 court may continue the defendant on the existing probation, with or without modifying
12 or enlarging the conditions, or may revoke the probation and impose any other
13 sentence that was available under section 12.1-32-02 or 12.1-32-09 at the time of
14 initial sentencing or deferment. ~~In the case of suspended execution of sentence, the~~
15 ~~court may revoke the probation and cause the defendant to suffer the penalty of the~~
16 ~~sentence previously imposed upon the defendant.~~