FIRST ENGROSSMENT

Sixty-seventh Legislative Assembly of North Dakota

ENGROSSED HOUSE BILL NO. 1177

Introduced by

Representatives Roers Jones, Hanson, Jones Senators Bakke, Dwyer

- 1 A BILL for an Act to create and enact subsection 3 of section 12.1-32-07.1 of the North Dakota
- 2 Century Code, relating to probation termination.

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

4 SECTION 1. Subsection 3 of section 12.1-32-07.1 of the North Dakota Century Code is 5 created and enacted as follows: 6 Except for an individual on probation for an offense under chapters 12.1-20 or 7 12.1-27.2 or who is participating in a drug court, the department of corrections 8 and rehabilitation shall file a petition to terminate probation when an individual: 9 Has served the longer of fifteen months of probation or the minimum 10 mandatory probation period: 11 Has satisfactorily met the following conditions of probation: (2)12 Has not had the current period of probation revoked; and <u>(a)</u> 13 (b) Has not been subject to intermediate measures during the six-month 14 period before the petition to terminate probation was filed; 15 Has no pending extraditable criminal charges; and <u>(3)</u> 16 (4) Is in satisfactory compliance with restitution and reparation, if applicable. 17 If the prosecuting attorney does not file a petition for a hearing within thirty days b. 18 of the filing of the petition to terminate probation and the court does not schedule 19 a petition for a hearing within forty-five days of the filing of the petition to 20 terminate probation, the court shall issue a final discharge from further 21 supervision to the individual.