

**FIRST ENGROSSMENT  
with Senate Amendments**

Fifty-fifth  
Legislative Assembly  
of North Dakota

**ENGROSSED HOUSE BILL NO. 1089**

Introduced by

Representative Carlisle

1 A BILL for an Act to amend and reenact section 12.1-32-09.1 of the North Dakota Century  
2 Code, relating to sentencing of violent offenders.

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

4 **SECTION 1. AMENDMENT.** Section 12.1-32-09.1 of the 1995 Supplement to the  
5 North Dakota Century Code is amended and reenacted as follows:

6 **12.1-32-09.1. Sentencing of violent offenders.** Any offender who is convicted of a  
7 crime in violation of section 12.1-16-01, 12.1-16-02, 12.1-17-02, 12.1-18-01, subdivision a of  
8 subsection 1 or subdivision b of subsection 2 of section 12.1-20-03, section 12.1-22-01,  
9 subdivision b of subsection 2 of section 12.1-22-02, or an attempt to commit the offenses, and  
10 who receives a sentence of imprisonment is not eligible for release from confinement on any  
11 basis until eighty-five percent of the sentence imposed by the court has been served or the  
12 sentence is commuted. In the case of an offender who is sentenced to a term of life  
13 imprisonment with opportunity for parole under subsection 1 of section 12.1-32-01, the term  
14 "sentence imposed" means the remaining life expectancy of the offender on the date of  
15 sentencing. The remaining life expectancy of the offender must be calculated on the date of  
16 sentencing, computed by reference to a recognized mortality table as established by rule by the  
17 supreme court. Notwithstanding this section, an offender sentenced under subsection 1 of  
18 section 12.1-32-01 may not be eligible for parole until the requirements of that subsection have  
19 been met.