

Fifty-seventh  
Legislative Assembly  
of North Dakota

**SENATE BILL NO. 2406**

Introduced by

Senators Flakoll, Fischer

Representatives Berg, DeKrey, Koppelman, Mahoney

1 A BILL for an Act to create and enact a new subsection to section 39-08-01 of the North Dakota  
2 Century Code, relating to inmate placement for driving while under the influence.

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

4 **SECTION 1.** A new subsection to section 39-08-01 of the 1999 Supplement to the  
5 North Dakota Century Code is created and enacted as follows:

6 As used in subdivision b of subsection 4 of this section, the term "imprisonment"  
7 includes house arrest whether sentenced to house arrest by the court or committed  
8 to the department of corrections and rehabilitation. If committed to the department,  
9 the director of the department may determine the type of imprisonment. As a  
10 condition of house arrest, a defendant may not consume alcoholic beverages. The  
11 house arrest must include a program of electronic home detention in which the  
12 defendant is tested at least twice daily for the consumption of alcohol.