

Fifty-seventh  
Legislative Assembly  
of North Dakota

ENGROSSED 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. As a condition of house arrest, a defendant may not  
8 consume alcoholic beverages. The house arrest must include a program of  
9 electronic home detention in which the defendant is tested at least twice daily for  
10 the consumption of alcohol. The defendant shall defray all costs associated with  
11 the electronic home detention. This subsection does not apply to individuals  
12 committed to or under the supervision and management of the department of  
13 corrections and rehabilitation.