

PROPOSED AMENDMENTS TO SENATE BILL NO. 2034

Page 1, line 1, replace "two" with "three"

Page 1, line 3, remove the second "and"

Page 1, line 4, remove "and"

Page 1, line 5, after the first comma insert "25-03.3-17,"

Page 6, line 7, remove ", at the respondent's choice,"

Page 7, line 28, after the period insert "An individual with mental retardation may be evaluated under this chapter at a facility only if that facility provides care and treatment to individuals with mental retardation."

Page 8, line 17, replace "ninety" with "sixty"

Page 9, after line 10, insert:

**"SECTION 12.** A new subsection to section 25-03.3-17 of the 1999 Supplement to the North Dakota Century Code is created and enacted as follows:

If the executive director moves a committed individual from a placement in the community to a placement in a secure treatment facility that is more restrictive, the committed individual may challenge the move at a hearing to be held within thirty days after the move in accordance with procedures established by the department of human services."

Page 10, after line 5, insert:

**"SECTION 16.** A new section to chapter 25-03.3 of the North Dakota Century Code is created and enacted as follows:

**Individual rights.** For so long as a committed individual is placed in and resides at a treatment facility, the committed individual has the same rights as other residents of the facility, subject to the following limitations and restrictions:

1. The individual's rights are subordinate to legitimate safety precautions and to the terms of the applicable individualized habilitation or treatment plan.
2. If an individual's rights are inconsistent with this chapter in a particular situation, the specific provisions of this chapter prevail."

Renumber accordingly