

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1051

Page 1, line 3, after the semicolon insert "to amend and reenact subsection 3 of section 12.1-32-07 of the North Dakota Century Code, relating to conditions of probation;"

Page 1, underscore line 7

Page 1, line 8, underscore "that person willfully defrauds a urine test" and remove "administered as a condition of parole, probation, or a"

Page 1, line 9, remove "court-supervised program" and underscore "and the test is designed to detect the presence of a chemical"

Page 1, underscore line 10

Page 1, after line 10, insert:

"SECTION 2. AMENDMENT. Subsection 3 of section 12.1-32-07 of the North Dakota Century Code is amended and reenacted as follows:

3. The court shall provide as an explicit condition of every probation that the defendant may not possess a firearm, destructive device, or other dangerous weapon while the defendant is on probation and that the defendant may not willfully defraud a urine test administered as a condition of probation.

Unless waived on the record by the court, the court shall also provide as a condition of probation that the defendant undergo various agreed-to community constraints and conditions as intermediate measures of the department of corrections and rehabilitation to avoid revocation, which may include:

- a. Community service;
- b. Day reporting;
- c. Curfew;
- d. Home confinement;
- e. House arrest;
- f. Electronic monitoring;
- g. Residential halfway house; or
- h. Intensive supervision program."

Page 1, underscore lines 13 through 16

Renumber accordingly