

Sixtieth  
Legislative Assembly  
of North Dakota

**SENATE BILL NO. 2241**

Introduced by

Senators Anderson, Lyson

Representative Williams

1 A BILL for an Act to amend and reenact subsection 3 of section 12.1-32-07 of the North Dakota  
2 Century Code, relating to the conditions of probation.

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

4 **SECTION 1. AMENDMENT.** Subsection 3 of section 12.1-32-07 of the North Dakota  
5 Century Code is amended and reenacted as follows:

- 6 3. The court shall provide as an explicit condition of every probation that the  
7 defendant may not possess a firearm, destructive device, or other dangerous  
8 weapon while the defendant is on probation ~~and~~. The court may waive this  
9 condition of probation if the defendant has pled guilty to, or has been found guilty  
10 of, a misdemeanor or infraction offense and the court has made a specific finding  
11 on the record before imposition of a sentence or a probation that there is good  
12 cause to waive the condition. The court shall provide as an explicit condition of  
13 probation that the defendant may not willfully defraud a urine test administered as  
14 a condition of probation. Unless waived on the record by the court, the court shall  
15 also provide as a condition of probation that the defendant undergo various  
16 agreed-to community constraints and conditions as intermediate measures of the  
17 department of corrections and rehabilitation to avoid revocation, which may  
18 include:
- 19 a. Community service;
  - 20 b. Day reporting;
  - 21 c. Curfew;
  - 22 d. Home confinement;
  - 23 e. House arrest;
  - 24 f. Electronic monitoring;

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- 1 g. Residential halfway house; or
- 2 h. Intensive supervision program.