

Sixtieth
Legislative Assembly
of North Dakota

REENGROSSED HOUSE BILL NO. 1064

Introduced by

Transportation Committee

(At the request of the Highway Patrol)

1 A BILL for an Act to create and enact a new section to chapter 39-03 of the North Dakota
2 Century Code, relating to creation of the highway patrol assets forfeiture fund; and to provide a
3 continuing appropriation.

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

5 **SECTION 1.** A new section to chapter 39-03 of the North Dakota Century Code is
6 created and enacted as follows:

7 **Highway patrol - Assets forfeiture fund - Purpose - Continuing appropriation.**

8 There is created a fund to be known as the highway patrol assets forfeiture fund. The fund
9 consists of funds obtained from moneys, assets, and proceeds seized and forfeited pursuant to
10 section 19-03.1-36, amounts received through court proceedings as restitution, amounts
11 remaining from the forfeiture of property after the payment of expenses for forfeiture and sale
12 authorized by law, and funds received from federal shared forfeiture proceedings. The total
13 amount of deposits into the fund may not exceed three hundred thousand dollars within a
14 biennium and any moneys in excess of that amount must be deposited in the general fund.
15 The funds are appropriated as a continuing appropriation to the highway patrol for the following
16 purposes:

- 17 1. For paying expenses necessary to inventory, safeguard, maintain, advertise, or
18 sell property seized, detained, or forfeited, pursuant to section 19-03.1-36, or of
19 any other necessary expenses incident to the seizure, detention, or forfeiture of the
20 property.
21 2. For paying overtime compensation incurred as a result of investigations or
22 violations of any state criminal law or law relating to the control of drug abuse.
23 3. For purchasing equipment related to criminal interdiction.

- 1 4. For paying matching funds required as a condition for receipt of funds from a
2 federal government program awarding monetary grants or assistance for the
3 investigation or apprehension of persons violating the provisions of chapter
4 19-03.1.
- 5 The superintendent of the highway patrol, with the concurrence of the director of the office of
6 management and budget, shall establish the necessary accounting procedures for the use of
7 the fund and shall personally approve, in writing, all requests for the use of the fund.