

Sixty-first  
Legislative Assembly  
of North Dakota

**SENATE BILL NO.**

Introduced by

Senator Miller

1 A BILL for an Act to amend and reenact section 27-01-10 of the North Dakota Century Code,  
2 relating to funding crime victim and witness programs through fees assessed as part of criminal  
3 sentences.

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

5 **SECTION 1. AMENDMENT.** Section 27-01-10 of the North Dakota Century Code is  
6 amended and reenacted as follows:

7 **27-01-10. Fee assessments for funding crime victim and witness programs.**

- 8 1. The governing body of a county may, by resolution, authorize the district judges  
9 serving that county to assess a fee under subsection 3 of not more than ~~twenty-five~~  
10 one hundred dollars as part of a sentence imposed on a defendant who pleads  
11 guilty to or is convicted of a criminal offense or of violating a municipal ordinance  
12 for which the maximum penalty that may be imposed by law for the offense or  
13 violation includes imprisonment.
- 14 2. The governing body of a city may, by ordinance, authorize a municipal judge to  
15 assess a fee under subsection 3 of not more than ~~twenty-five~~ one hundred dollars  
16 as part of a sentence imposed on a defendant who pleads guilty to or is convicted  
17 of violating a municipal ordinance for which the maximum penalty that may be  
18 imposed under the ordinance for the violation includes imprisonment.
- 19 3. The governing body of the county or city may determine the amount of the fee to  
20 be assessed in all cases or it may authorize the district or municipal judge to  
21 determine the amount of the fee to be assessed in each case. The fee assessed  
22 under this section is in addition to any fine, penalty, costs, or administrative fee  
23 prescribed by law. The district or municipal judge may assess the fee when  
24 sentence is imposed or when sentence is suspended or imposition of sentence is

- 1                   deferred, unless the defendant is indigent and unable to pay the fee. All fees paid  
2                   to a district or municipal court under this section must be deposited monthly in the  
3                   county or city treasury for allocation by the governing body of the county or city to  
4                   one or more of the following programs as determined by the governing body:
- 5                   a.    A private, nonprofit domestic violence or sexual assault program.
  - 6                   b.    A victim and witness advocacy program of which the primary function is to
  - 7                   provide direct services to victims of and witnesses to crime.