

Sixty-third
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1451

Introduced by

Representatives Kasper, Beadle, Becker, Dosch, Monson, Nathe, Owens, Streyle, Thoreson
Senators Berry, Klein, Wardner

1 A BILL for an Act to amend and reenact sections 29-10.1-02 and 29-10.1-22 of the North
2 Dakota Century Code, relating to the requirements for calling a grand jury.

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

4 **SECTION 1. AMENDMENT.** Section 29-10.1-02 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **29-10.1-02. When grand jury may be called.**

7 No grand jury may be drawn, summoned, or convened in any county within this state unless
8 the district judge thereof shall so direct by a written order filed with the clerk of the court in the
9 county wherein the said grand jury is required to attend. ~~Any~~Except as provided in subsection 2
10 of section 29-10.1-22, any judge of the district court for any county must direct, in the manner
11 herein provided, that a grand jury be drawn and summoned to attend whenever:

- 12 1. The judge deems the attendance of a grand jury necessary for the due enforcement of
13 the laws of the state;
- 14 2. The board of county commissioners of the county wherein the court is to be held, in
15 writing, requests the judge so to do; or
- 16 3. A petition in writing requesting the same is presented to the judge, signed by ~~qualified~~
17 ~~electors of the county equal in number to at least tent~~twenty-five percent of the total
18 ~~vote cast in~~resident population of the county for the office of governor of the state at
19 ~~the last general election~~federal decennial census, but the number of signatures
20 required may not exceed five thousand.

21 **SECTION 2. AMENDMENT.** Section 29-10.1-22 of the North Dakota Century Code is
22 amended and reenacted as follows:

23 **29-10.1-22. Subjects of grand jury inquiry.**

- 24 1. Whenever directed by the district court, the grand jury shall inquire into:

- 1 1. a. The condition and management of the public prisons in the county; and
- 2 2. b. Willful and corrupt felonious misconduct in office of public officials of every
- 3 description in the county.
- 4 2. A grand jury called to inquire into the willful and corrupt felonious misconduct in office
- 5 of a statewide public official must be drawn, summoned, and convened in the county
- 6 in which the statewide public official resides.