

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1451

Page 1, line 1, after "29-10.1-02" insert ", 29-10.1-21,"

Page 1, line 2, after "calling" insert "and the duties of"

Page 1, line 9, remove the overstrike over "Any"

Page 1, line 9, remove "Except as provided in subsection 2"

Page 1, line 10, remove "of section 29-10.1-22, any"

Page 1, line 14, overstrike "board of county commissioners" and insert immediately thereafter "state's attorney"

Page 1, line 16, remove the overstrike over "qualified"

Page 1, line 17, replace "twenty-five" with "forty"

Page 1, line 17, remove the overstrike over "total"

Page 1, line 18, remove the overstrike over "vote cast in"

Page 1, line 18, remove "resident population of"

Page 1, line 18, remove the overstrike over "~~for the office of governor of the state~~"

Page 1, line 19, remove the overstrike over "general election"

Page 1, line 19, remove "federal decennial census"

Page 1, after line 20, insert:

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

29-10.1-21. General duties of grand jury.

~~The grand jury shall inquire into the cause of detention of every person imprisoned in the jail of the county against whom neither a criminal complaint nor information has been filed, or who has not had or waived a preliminary examination, and into all public offenses committed or triable in the county, and if the evidence so warrants, shall present them to the court by written indictment.~~Each grand jury impaneled within any county shall inquire into offenses against the criminal laws of the state alleged to have been committed within that county. The alleged offenses may be brought to the attention of the grand jury by the court or by any state's attorney or the state's attorney's designee. The state's attorney or the state's attorney's designee shall inform the grand jury of the alleged offense, the identity of the alleged offender, and the state's attorney or state's attorney's designee's action or recommendation. As to any offense committed while the grand jury is in session, the state's attorney or prosecutor may proceed with a preliminary examination or the filing of an information, as provided for by law, and prosecute the charge, and, under such conditions, the grand jury is not required to inquire into such offense. The presentment of an indictment against a

person does not preclude the prosecution of such person for the same offense upon a criminal complaint or information previously filed with the court."

Page 1, line 24, remove "1."

Page 2, line 1, remove the overstrike over "~~4.~~"

Page 2, line 1, remove "a."

Page 2, line 2, remove the overstrike over "~~2.~~"

Page 2, line 2, remove "b."

Page 2, remove lines 4 through 6

Renumber accordingly