

Sixty-sixth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1315

Introduced by

Representatives McWilliams, Boschee, Lefor, Mock, J. Nelson, D. Ruby, Satrom, Simons

Senators Hogan, O. Larsen, D. Larson, Mathern

1 A BILL for an Act to create and enact a new chapter to title 50 of the North Dakota Century
2 Code, relating to community transitional housing; ~~and to provide a report;~~ to provide an
3 appropriation; ~~and to provide an expiration date.~~

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

5 **SECTION 1.** A new chapter to title 50 of the North Dakota Century Code is created and
6 enacted as follows:

7 **Definitions.**

8 As used in this chapter:

- 9 1. "Department" means the department of ~~human services~~ corrections and rehabilitation.
- 10 2. "Host home" means a dwelling certified to house a ~~convicted felon upon release from~~
11 ~~incarceration~~ participant.
- 12 3. "Participant" means ~~a convicted felon~~ an individual who has been approved to reside in
13 a host home ~~upon release from incarceration or completed a term of court-ordered~~
14 ~~probation~~ and is under the supervision of the department.
- 15 4. "Program" means the community transitional housing program.
- 16 5. "Single family home" means a stand-alone dwelling with its own lot intended for one
17 family.

18 **Community transitional housing program.**

19 The department shall ~~collaborate with the department of corrections and rehabilitation to~~
20 establish and implement a community transitional housing program to provide ~~convicted~~
21 ~~felons~~ participants with short-term housing ~~upon release from incarceration.~~

22 **Administration - Report.**

- 23 1. The department shall ~~collaborate with the department of corrections and rehabilitation~~
24 ~~to:~~

1 a. ~~Establish eligibility criteria for convicted felons who have a level of service-~~
2 ~~inventory-revised score of thirty or less to participate in the program. Criteria-~~
3 ~~must include an interview between the convicted felon and the potential host-~~
4 ~~home and three letters of recommendation, including one from an individual who-~~
5 ~~directly supervises the felon at the correctional facility where the felon is-~~
6 ~~incarcerated.~~

7 ~~b.~~ Establish eligibility criteria for ~~convicted felons between eighteen and twenty-four~~
8 ~~years of age who were sentenced to term of probation. If a felon under this-~~
9 ~~subsection~~participants. If a participant has a level of service inventory-revised
10 score, the score must be thirty or less. Criteria must include an interview between
11 the ~~convicted felon~~participant and the potential host home and two letters of
12 recommendation.

13 ~~e.b.~~ Establish eligibility criteria, certification, and training for host homes. A host home
14 must be a single family home and each individual residing in the home must be at
15 least eighteen years of age, pass a criminal history background check, provide
16 three letters of recommendation, and disclose past alcohol and substance abuse.
17 The residence of an individual is ineligible to be a host home if the individual has
18 been convicted of any drug offense or any felony within the previous ten years or
19 if the individual is the grandparent, parent, or sibling of the ~~felon~~participant.

20 ~~d.c.~~ Develop program oversight, including guidelines, goals, liability protocols, and
21 employment parameters for participants. Employment parameters must include
22 options and insurance requirements for a participant to:

- 23 (1) Work at least thirty hours per week as an employee of the owner of the host
24 home while earning minimum wage;
25 (2) Work at least thirty hours per week in the community; or
26 (3) Work as an employee of the owner of the host home part-time while
27 maintaining part-time employment in the community.

28 ~~e.d.~~ ~~Collaborate with the department of corrections and rehabilitation to-~~
29 ~~establish~~Establish communication and reporting criteria between the
30 ~~felon~~participant, the host home, and the parole or probation officer.

- 1 2. A participant may not remain in a host home for more than ninety days upon release
2 from incarceration. The ~~convicted felon~~participant and host home may submit a joint
3 application to the department for one 30-day housing extension.
- 4 3. A participant may not use the address of the host home as a residential address for
5 the purpose of receiving mail.
- 6 4. The owner of a host home may charge a participant up to ~~three hundred fifty~~fifteen
7 dollars per ~~month~~day for program fees.
- 8 5. A host home may house only one participant at a time and may not house more than
9 three participants each calendar year.
- 10 6. The owner of a host home shall maintain all housing standards as set by the
11 department and shall store firearms and prescription medications in a locked safe or a
12 secured room that requires a key for entry and has lockable windows.
- 13 7. The department shall terminate a participant from the program at the request of the
14 owner of the host home or if the participant violates the terms of the participant's
15 probation or parole more than once while residing in a host home.
- 16 8. To participate in the program, a ~~felon~~participant shall submit an application at least
17 ninety days before the ~~felon's scheduled release from incarceration. If a felon is~~
18 ~~eligible under subdivision b of subsection 1, the felon shall submit an application at~~
19 ~~least ninety days before the felon's release from parole or probation~~participant's
20 anticipated placement with a host home.
- 21 9. ~~Upon approval to participate in the program, the department shall forward the~~
22 ~~approved application to the department of corrections and rehabilitation with a~~
23 ~~recommendation to the department of corrections and rehabilitation to release the~~
24 ~~felon from incarceration up to fourteen days before the felon's scheduled release.~~
- 25 ~~10.~~ The department shall adopt rules necessary to implement the program.
- 26 10. The department shall provide a biennial report to the legislative management
27 regarding the number of applications the department receives, the number of
28 applicants who are denied from participating in the program, and the background data
29 of each applicant, including the applicant's job, housing, and criminal history.

1 **Reimbursement.**

2 The department shall provide the owner of a host home with a stipend of ~~two~~three hundred
3 dollars for each month the host home houses a participant. The department shall pay a ~~monthly~~
4 bonus of up to one hundred fifty dollars to the owner of a host home that meets specified goals
5 upon completion of the placement.

6 **SECTION 2. APPROPRIATION.** There is appropriated out of any moneys in the general
7 fund in the state treasury, not otherwise appropriated, the sum of ~~\$100,000~~\$500,000, or so
8 much of the sum as may be necessary, to the department of ~~human services~~corrections and
9 rehabilitation for the purpose of establishing and implementing the community transitional
10 housing program, for the biennium beginning July 1, 2019, and ending June 30, 2021.

11 **SECTION 3. EXPIRATION DATE.** This Act is effective through July 31, 2023, and after that
12 date is ineffective.