

February 6, 2019

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1520

Page 1, line 3, after "12.1-04-01" insert ", 27-20-14,"

Page 1, line 5, after the second comma insert "detention,"

Page 1, after line 17, insert:

"SECTION 2. AMENDMENT. Section 27-20-14 of the North Dakota Century Code is amended and reenacted as follows:

27-20-14. Detention of child - Juvenile drug court exception.

1. A child taken into custody may not be detained or placed in shelter care prior to the hearing on the petition unless the child's detention or care is required to protect the person or property of others or of the child or because the child may abscond or be removed from the jurisdiction of the court or because the child has no parent, guardian, or custodian or other person able to provide supervision and care for the child and return the child to the court when required, or an order for the child's detention or shelter care has been made by the court pursuant to this chapter.
2. Law enforcement shall use a detention screening tool to assure the appropriate use of detention. The juvenile court shall establish the detention screening tool, which must include objective factors to aid in the decision of placement of the child.
3. If a child is participating in a juvenile drug court program as a result of an adjudication for a delinquent offense, the drug court may order the child detained in a juvenile detention center operated pursuant to chapter 12-44.1. The child may be detained twice during the child's participation in the program but the total period of detention under this subsection may not exceed four days in a one-year period."

Page 2, line 30, remove "child is found to be a delinquent child, is twelve years old or older, and the"

Page 2, line 31, replace "constitutes gross" with "was a"

Page 2, line 31, remove "imposition in violation of"

Page 3, line 1, replace "section 12.1-20-03 or sexual imposition in violation of section 12.1-20-04" with "offense"

Page 3, line 2, replace "order" with "ensure"

Page 3, line 2, remove "be placed at the North Dakota youth correctional center or other"

Page 3, remove lines 3 through 9

Page 3, line 10, replace "under subsection 3 may satisfy any of the requirements of subsection 1" with "is assessed in a timely manner, not to exceed thirty days, with"

age-appropriate social assessments to determine the appropriate level of required treatment"

Renumber accordingly