

Fifty-fifth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1036

Introduced by

Legislative Council

(Budget Committee on Government Services)

(Representatives Martin, Kerzman)

1 A BILL for an Act to amend and reenact section 50-06-06.13 of the North Dakota Century Code,
2 relating to an out-of-home treatment program for children with serious emotional disorders.

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

4 **SECTION 1. AMENDMENT.** Section 50-06-06.13 of the 1995 Supplement to the North
5 Dakota Century Code is amended and reenacted as follows:

6 **50-06-06.13. Treatment services for ~~severely emotionally disturbed child~~ children**
7 **with serious emotional disorders.** The department ~~may~~ shall establish a program ~~in up to~~
8 ~~three human service regions~~ to provide out-of-home treatment services for a ~~severely~~
9 ~~emotionally disturbed child~~ with a serious emotional disorder. Before a child may be placed in
10 an out-of-home treatment program established under this section, the juvenile court must make
11 a judicial determination that the placement is in the best interests of the child. The department
12 may not require a parent or legal guardian to transfer legal custody of the child in order to have
13 the child placed in an out-of-home treatment program when the sole reason for the placement is
14 the need to obtain services for the child's emotional or behavioral problems.