

Fifty-eighth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1189

Introduced by

Representative Wald

Senator Wardner

1 A BILL for an Act to amend and reenact section 29-01-15 of the North Dakota Century Code,
2 relating to the issuance of search warrants by municipal judges.

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

4 **SECTION 1. AMENDMENT.** Section 29-01-15 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **29-01-15. Jurisdiction of municipal judges and small claims court referees.**

7 1. Any municipal judge may:

8 ~~4.~~ a. Act as committing magistrate; provided, that this subsection does not apply to
9 municipal judges who are not attorneys currently licensed under chapter
10 27-11.

11 ~~2.~~ b. Hear, try, and determine misdemeanors and infractions when jurisdiction has
12 been conferred by the Constitution of North Dakota and this and other laws.

13 ~~3.~~ c. Adjudge and impose the punishment prescribed by law, upon conviction, in all
14 cases within ~~his~~ the judge's jurisdiction to hear, try, and determine.

15 ~~4.~~ d. Grant temporary protection orders under the particular circumstances and for
16 the limited duration set forth in section 14-07.1-08.

17 e. If the judge is an attorney licensed under chapter 27-11, issue search
18 warrants for an area within the jurisdiction of the municipality in the same
19 manner as a state court judge under chapter 29-29 and the North Dakota
20 Rules of Criminal Procedure.

21 2. A small claims court referee authorized pursuant to subsection 3 of section
22 29-01-14 may act as a committing magistrate. A magistrate appointed by the
23 presiding judge of the judicial district has the authority to act to the extent allowed
24 by rules promulgated by the supreme court.