

HOUSE BILL NO. 1075

Introduced by

Judiciary Committee

(At the request of the Department of Corrections and Rehabilitation)

1 A BILL for an Act to amend and reenact subsection 2 of section 12.1-32-02 of the North Dakota
2 Century Code, relating to sentencing and credit for time spent in custody.

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

4 **SECTION 1. AMENDMENT.** Subsection 2 of section 12.1-32-02 of the North Dakota
5 Century Code is amended and reenacted as follows:

6 2. Credit against any sentence to a term of imprisonment must be given by the court
7 to a defendant for all time spent in custody as a result of the criminal charge for
8 which the sentence was imposed or as a result of the conduct on which such
9 charge was based. "Time spent in custody" includes time spent in custody in a jail
10 or mental institution for the offense charged, whether that time is spent prior to trial,
11 during trial, pending sentence, or pending appeal. The total amount of credit the
12 defendant is entitled to for time spent in custody must be stated in the criminal
13 judgment.