

**HOUSE BILL NO. 1192**

Introduced by

Representatives Dahl, Karls, Sanford, S. Meyer

1 A BILL for an Act to amend and reenact section 29-04-05 of the North Dakota Century Code,  
2 relating to the commencement of a criminal prosecution; and to repeal sections 29-09-02,  
3 29-09-06, and 29-09-07 of the North Dakota Century Code, relating to criminal procedure and  
4 the methods of prosecution.

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

6 **SECTION 1. AMENDMENT.** Section 29-04-05 of the North Dakota Century Code is  
7 amended and reenacted as follows:

8 **29-04-05. When action is commenced.**

9 ~~An information is filed or an indictment found within the meaning of this chapter when it is~~  
10 ~~presented, if an information, by the state's attorney or person appointed to prosecute, or, if an~~  
11 ~~indictment, by the grand jury, in open court, and there received and filed, or if a complaint, when~~  
12 ~~filed by a magistrate having jurisdiction to hear, try, and determine the action.~~ A prosecution is  
13 commenced when a uniform complaint and summons, a complaint, or an information is filed or  
14 when a grand jury indictment is returned.

15 **SECTION 2. REPEAL.** Sections 29-09-02, 29-09-06, and 29-09-07 of the North Dakota  
16 Century Code are repealed.