

Introduced by

Legislative Management

(Commission on Alternatives to Incarceration)

1 A concurrent resolution directing the Legislative Management to study the imposition of fees by
2 courts at sentencing and other fees that are imposed upon offenders.

3 **WHEREAS**, in 2007 the Legislative Assembly created a fifty dollar court supervision fee to
4 be imposed upon an offender sentenced to perform community service; and

5 **WHEREAS**, after a study during the 2007-08 interim and a recommendation by the
6 Commission on Alternatives to Incarceration to eliminate the court supervision fee, in 2009 the
7 Legislative Assembly reduced the fee to twenty-five dollars; and

8 **WHEREAS**, during the 2009-10 interim, the Commission on Alternatives to Incarceration
9 was informed the court supervision fee frequently either is not imposed as required or is waived
10 because the fee is low on the hierarchy of fees required to be imposed by courts; and

11 **WHEREAS**, in addition to over 10 fees that courts may impose on offenders, offenders may
12 be subject to other fees for participation in court-ordered programs; and

13 **WHEREAS**, a study of all fees imposed upon offenders may address the effectiveness of
14 the fees, determine the appropriate hierarchy for collection purposes, and determine whether
15 the imposition of the fees is successful in addressing the public purposes for which the fees are
16 imposed;

17 **NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE**
18 **HOUSE OF REPRESENTATIVES CONCURRING THEREIN:**

19 That the Legislative Management study the imposition of fees by courts at sentencing and
20 other fees that are imposed upon offenders; and

21 **BE IT FURTHER RESOLVED**, that the Legislative Management report its findings and
22 recommendations, together with any legislation required to implement the recommendations, to
23 the Sixty-third Legislative Assembly.