

HOUSE BILL NO. 1315

Introduced by

Representatives McWilliams, Boschee, Lefor, Mock, J. Nelson, D. Ruby, Satrom, Simons

Senators Hogan, O. Larsen, D. Larson, Mathern

1 A BILL for an Act to create and enact a new chapter to title 50 of the North Dakota Century
2 Code, relating to community transitional housing; and to provide an appropriation.

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

4 **SECTION 1.** A new chapter to title 50 of the North Dakota Century Code is created and
5 enacted as follows:

6 **Definitions.**

7 As used in this chapter:

8 1. "Department" means the department of human services.

9 2. "Host home" means a dwelling certified to house a convicted felon upon release from
10 incarceration.

11 3. "Participant" means a convicted felon who has been approved to reside in a host
12 home upon release from incarceration or completed a term of court-ordered probation.

13 4. "Program" means the community transitional housing program.

14 5. "Single family home" means a stand-alone dwelling with its own lot intended for one
15 family.

16 **Community transitional housing program.**

17 The department shall collaborate with the department of corrections and rehabilitation to
18 establish and implement a community transitional housing program to provide convicted felons
19 with short-term housing upon release from incarceration.

20 **Administration.**

21 1. The department shall collaborate with the department of corrections and rehabilitation
22 to:

23 a. Establish eligibility criteria for convicted felons who have a level of service

24 inventory-revised score of thirty or less to participate in the program. Criteria

- 1 must include an interview between the convicted felon and the potential host
2 home and three letters of recommendation, including one from an individual who
3 directly supervises the felon at the correctional facility where the felon is
4 incarcerated.
- 5 b. Establish eligibility criteria for convicted felons between eighteen and twenty-four
6 years of age who were sentenced to term of probation. If a felon under this
7 subsection has a level of service inventory-revised score, the score must be thirty
8 or less. Criteria must include an interview between the convicted felon and the
9 potential host home and two letters of recommendation.
- 10 c. Establish eligibility criteria, certification, and training for host homes. A host home
11 must be a single family home and each individual residing in the home must be at
12 least eighteen years of age, pass a criminal history background check, provide
13 three letters of recommendation, and disclose past alcohol and substance abuse.
14 The residence of an individual is ineligible to be a host home if the individual has
15 been convicted of any drug offense or any felony within the previous ten years or
16 if the individual is the grandparent, parent, or sibling of the felon.
- 17 d. Develop program oversight, including guidelines, goals, liability protocols, and
18 employment parameters for participants. Employment parameters must include
19 options and insurance requirements for a participant to:
- 20 (1) Work at least thirty hours per week as an employee of the owner of the host
21 home while earning minimum wage;
- 22 (2) Work at least thirty hours per week in the community; or
- 23 (3) Work as an employee of the owner of the host home part-time while
24 maintaining part-time employment in the community.
- 25 e. Collaborate with the department of corrections and rehabilitation to establish
26 communication and reporting criteria between the felon, the host home, and the
27 parole or probation officer.
- 28 2. A participant may not remain in a host home for more than ninety days upon release
29 from incarceration. The convicted felon and host home may submit a joint application
30 to the department for one 30-day housing extension.

- 1 3. A participant may not use the address of the host home as a residential address for
2 the purpose of receiving mail.
- 3 4. The owner of a host home may charge a participant up to three hundred fifty dollars
4 per month for program fees.
- 5 5. A host home may house only one participant at a time and may not house more than
6 three participants each calendar year.
- 7 6. The owner of a host home shall maintain all housing standards as set by the
8 department and shall store firearms and prescription medications in a locked safe or a
9 secured room that requires a key for entry and has lockable windows.
- 10 7. The department shall terminate a participant from the program at the request of the
11 owner of the host home or if the participant violates the terms of the participant's
12 probation or parole more than once while residing in a host home.
- 13 8. To participate in the program, a felon shall submit an application at least ninety days
14 before the felon's scheduled release from incarceration. If a felon is eligible under
15 subdivision b of subsection 1, the felon shall submit an application at least ninety days
16 before the felon's release from parole or probation.
- 17 9. Upon approval to participate in the program, the department shall forward the
18 approved application to the department of corrections and rehabilitation with a
19 recommendation to the department of corrections and rehabilitation to release the
20 felon from incarceration up to fourteen days before the felon's scheduled release.
- 21 10. The department shall adopt rules necessary to implement the program.

22 **Reimbursement.**

23 The department shall provide the owner of a host home with a stipend of two hundred
24 dollars for each month the host home houses a participant. The department shall pay a bonus
25 of up to one hundred fifty dollars to the owner of a host home that meets specified goals upon
26 completion of the placement.

27 **SECTION 2. APPROPRIATION.** There is appropriated out of any moneys in the general
28 fund in the state treasury, not otherwise appropriated, the sum of \$100,000, or so much of the
29 sum as may be necessary, to the department of human services for the purpose of establishing
30 and implementing the community transitional housing program, for the biennium beginning
31 July 1, 2019, and ending June 30, 2021.