

HOUSE BILL NO. 1177

Introduced by

Representatives Roers Jones, Hanson, Jones

Senators Bakke, Dwyer

1 A BILL for an Act to create and enact subsection 3 of section 12.1-32-07.1 of the North Dakota
2 Century Code, relating to probation termination.

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

4 **SECTION 1.** Subsection 3 of section 12.1-32-07.1 of the North Dakota Century Code is
5 created and enacted as follows:

- 6 3. a. Except for an individual on probation for an offense under chapters 12.1-20 or
7 12.1-27.2 or who is participating in a drug court, the department of corrections
8 and rehabilitation shall file a petition to terminate probation when an individual:
9 (1) Has served the longer of ~~nine~~fifteen months of probation or the minimum
10 mandatory probation period;
11 (2) Has satisfactorily met the following conditions of probation:
12 (a) Has not had the current period of probation revoked; and
13 (b) Has not been subject to intermediate measures during the six-month
14 period before the petition to terminate probation was filed;
15 (3) Has no pending extraditable criminal charges; and
16 (4) Is in satisfactory compliance with restitution and reparation, if applicable.
17 b. If the prosecuting attorney does not file a petition for a hearing within thirty days
18 of the filing of the petition to terminate probation and the court does not schedule
19 a petition for a hearing within ~~thirty~~forty-five days of the filing of the petition to
20 terminate probation, the court shall issue a final discharge from further
21 supervision to the individual.