

**Sixty-seventh Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 5, 2021**

SENATE BILL NO. 2106
(Judiciary Committee)
(At the request of the Department of Corrections and Rehabilitation)

AN ACT to amend and reenact section 12-65-08 of the North Dakota Century Code, relating to transfer fees and travel fees for adults under supervision.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 12-65-08 of the North Dakota Century Code is amended and reenacted as follows:

12-65-08. Interstate transfer or travel of probationers and parolees - Fees.

1. Upon the approval by the department of corrections and rehabilitation of a request of a probationer or parolee who is under the supervision of the department of corrections and rehabilitation to transfer residence to another state under the interstate compact for adult offender supervision, the probationer or parolee shall pay to the department an application fee of one hundred fifty dollars. The department may waive the offender's application fee. ~~If the department waives the offender's payment of the fee, the department shall pay the offender's application fee.~~ In addition to the application fee paid by the probationer ~~or the department~~, the county having jurisdiction over the probationer, upon approval of the application for transfer of that probationer, shall pay to the department a fee of one hundred fifty dollars. In addition to the application fee paid by the parolee, the department, upon approval of the application for transfer of that parolee, shall pay to the department a fee of one hundred fifty dollars. However, if the balance in the fund created pursuant to subsection 3 exceeds seventy-five thousand dollars on June thirtieth of the immediately preceding fiscal year, the department shall waive the entire fee otherwise required to be paid by the county or department.
2. Any probationer or parolee residing in the state who requests a travel permit to travel to another state shall pay to the department a travel permit fee of ten dollars. ~~In the case of illness or death in the probationer's family, the department may waive the travel permit fee for hardship, unless waived by the department.~~
3. The department shall transfer all funds collected or paid under this section to the state treasury for deposit in the probationer and parolee violation transportation fund. The funds deposited in this fund may be spent pursuant to legislative appropriation for the purpose of defraying the costs of returning to the state probationers and parolees who violate their conditions of supervision. The department may contract with a private entity to assist in the administration of the fund.
4. The department shall adopt rules for implementation of this section.

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-seventh Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2106.

Senate Vote: Yeas 47 Nays 0 Absent 0

House Vote: Yeas 92 Nays 0 Absent 1

Secretary of the Senate

Received by the Governor at _____ M. on _____, 2021.

Approved at _____ M. on _____, 2021.

Governor

Filed in this office this _____ day of _____, 2021,

at _____ o'clock _____ M.

Secretary of State