

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO

HOUSE BILL NO. 1197

Introduced by

Representatives Frelich, Mitskog, Monson, K. Anderson, Schreiber-Beck, Wagner

Senators Luick, Myrdal, Davison, Mathern, Meyer, Sorvaag

1 A BILL ~~for an Act to create and enact three new sections to chapter 12-44.1 of the North Dakota~~
2 ~~Century Code, relating to jail improvement grants; and to provide for a transfer.~~for an Act to
3 provide for a legislative management study of correctional facilities.

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

5 ~~SECTION 1. A new section to chapter 12-44.1 of the North Dakota Century Code is created~~
6 ~~and enacted as follows:~~

7 ~~**Jail improvement fund – Continuing appropriation.**~~

8 ~~The jail improvement fund is a special fund in the state treasury consisting of moneys~~
9 ~~transferred to the fund and interest earned on moneys in the fund. All moneys in the fund are~~
10 ~~appropriated on a continuing basis to be used as provided in sections 2 and 3 of this Act.~~

11 ~~SECTION 2. A new section to chapter 12-44.1 of the North Dakota Century Code is created~~
12 ~~and enacted as follows:~~

13 ~~**Jail facilities improvement committee – Members and duties.**~~

14 ~~1. The jail facilities improvement committee consists of:~~

15 ~~a. Three members of the house of representatives selected by the majority leader of~~
16 ~~the house of representatives, two of whom must represent the majority faction of~~
17 ~~the house of representatives and one of whom must represent the minority~~
18 ~~faction of the house of representatives;~~

- 1 ~~b. Three members of the senate selected by the majority leader of the senate, two~~
2 ~~of whom must represent the majority faction of the senate and one of whom must~~
3 ~~represent the minority faction of the senate;~~
- 4 ~~c. One member appointed by the North Dakota association of counties to represent~~
5 ~~counties with a population fewer than seven thousand five hundred;~~
- 6 ~~d. One member appointed by the North Dakota association of counties to represent~~
7 ~~counties with a population of seven thousand five hundred or more;~~
- 8 ~~e. One member appointed by the North Dakota sheriff's and deputies association;~~
- 9 ~~f. One member appointed by the chiefs of police association of North Dakota; and~~
- 10 ~~g. The director of the department of corrections and rehabilitation.~~
- 11 ~~2. The term of each legislative member is two years at the discretion of the appointing~~
12 ~~authority. A vacancy must be filled by the appointing authority for the remainder of the~~
13 ~~term.~~
- 14 ~~3. The term of each nonlegislative member is three years at the discretion of the~~
15 ~~appointing authority. Initially, as determined by lot, one nonlegislative member shall~~
16 ~~serve for one year, two nonlegislative members shall serve for two years, and two~~
17 ~~nonlegislative members shall serve for three years. At the end of the nonlegislative~~
18 ~~member's term, the appointing authority shall appoint a successor for a full three-year~~
19 ~~term. Except for the director of the department of corrections and rehabilitation, a~~
20 ~~nonlegislative member may not serve more than two three-year terms. A vacancy must~~
21 ~~be filled by the appointing authority for the remainder of the term.~~
- 22 ~~4. At the initial meeting of the committee, the committee shall adopt rules of operation~~
23 ~~and procedure for the committee.~~
- 24 ~~5. The nonlegislative members of the committee are entitled to reimbursement for travel~~
25 ~~and expenses as provided by law for other state officers. Travel and expense costs~~
26 ~~must be paid from the jail improvement fund.~~
- 27 ~~6. Legislative members of the committee are entitled to compensation pursuant to~~
28 ~~section 54-35-10 and reimbursement of necessary expenses incurred in performing~~
29 ~~their duties at the rates provided in sections 44-08-04 and 54-06-09. Travel and~~
30 ~~expense costs must be paid from the jail improvement fund.~~

~~7. The legislative management chairman shall designate the committee chairman and vice chairman and the department of corrections and rehabilitation shall provide staff services for the committee.~~

~~SECTION 3. A new section to chapter 12-44.1 of the North Dakota Century Code is created and enacted as follows:~~

~~Jail improvement fund grant applications and awards – Criteria.~~

~~Moneys in the jail improvement fund may be used for awarding grants to counties for jail facilities improvement, remodeling, and replacement projects as approved by the jail facilities improvement committee. The committee shall review applications and may approve a grant application only if the proposed project is consistent with the purposes of the grant program and is a necessary improvement to jail facilities or an essential remodel or replacement to maintain existing jail facilities. A grant award may not exceed ten million dollars. A grant may be awarded to a county only if the county agrees to provide local funding of at least twenty-five percent of the project costs. The committee shall ensure that at least twenty-five percent of funds granted during a biennium are for projects in counties with a population of less than fifteen thousand.~~

~~SECTION 4. TRANSFER – STRATEGIC INVESTMENT AND IMPROVEMENTS FUND – JAIL IMPROVEMENT FUND. The office of management and budget shall transfer \$50,000,000 from the strategic investment and improvements fund to the jail improvement fund during the biennium beginning July 1, 2025, and ending June 30, 2027.~~

SECTION 1. LEGISLATIVE MANAGEMENT STUDY - CORRECTIONAL FACILITIES.

During the 2025-26 interim, the legislative management shall study jails and regional correctional centers, including their current and projected infrastructure needs, the costs and benefits of regional correctional facilities, the impacts of deferred admission, and the prioritization of inmates sentenced to the department of corrections and rehabilitation. The study must include input from representatives of counties with a population of seven thousand five hundred or more, representatives of counties with a population of fewer than seven thousand five hundred, local law enforcement officials, representatives of the department of corrections and rehabilitation, representatives of the office of management and budget, and the attorney general. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the seventieth legislative assembly.