

SENATE BILL NO. 2167

Introduced by

Senators Myrdal, Larson, Luick

Representatives Christianson, Hatlestad, Steiner

1 A BILL for an Act to create and enact a new section to chapter 29-26 and a new section to
2 chapter 54-12 of the North Dakota Century Code, relating to the cost of digital forensic
3 examinations and the establishment of an internet crime investigation fund; to provide a
4 continuing appropriation; and to provide a penalty.

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

6 **SECTION 1.** A new section to chapter 29-26 of the North Dakota Century Code is created
7 and enacted as follows:

8 **Cost of digital forensic examination.**

9 An individual convicted of a felony or misdemeanor shall, as part of the sentence imposed
10 by the court, pay for the reimbursement of the cost of any digital forensic examination
11 performed on any personal electronic device in the investigation and prosecution of the crime
12 for which the defendant is convicted. The fee assessed may not exceed one hundred dollars for
13 each defendant. All fees collected under this section must be remitted to the state treasurer for
14 deposit in the internet crimes investigation fund established in section 2 of this Act. For
15 purposes of this section, the term "personal electronic device" means any portable electronic
16 device designed for and capable of wireless communication or electronic data retrieval,
17 including a cellular telephone, tablet, laptop, computer, or two-way messaging device.

18 **SECTION 2.** A new section to chapter 54-12 of the North Dakota Century Code is created
19 and enacted as follows:

20 **Internet crimes investigation fund - Continuing appropriation.**

21 The internet crimes investigation fund is a special fund established in the state treasury.
22 The fund consists of all fees imposed pursuant to section 1 of this Act, which are appropriated
23 to the attorney general on a continuing basis for information technology hardware, software
24 licensing, digital forensic training, and internet safety presentations to assist law enforcement

Sixty-ninth
Legislative Assembly

- 1 entities and organizations dedicated to preventing technology-facilitated child sexual
- 2 exploitation and internet crimes against children. Interest earned on moneys in the fund must be
- 3 credited to the fund.