

**Sixty-ninth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 7, 2025**

SENATE BILL NO. 2167
(Senators Myrdal, Larson, Luick)
(Representatives Christianson, Hatlestad, Steiner)

AN ACT to create and enact a new section to chapter 29-26 and a new section to chapter 54-12 of the North Dakota Century Code, relating to the cost of digital forensic examinations and the establishment of an internet crime investigation fund; to provide a continuing appropriation; and to provide a penalty.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

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

Cost of digital forensic examination.

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

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

Internet crimes investigation fund - Continuing appropriation.

The internet crimes investigation fund is a special fund established in the state treasury. The fund consists of all fees imposed pursuant to section 1 of this Act, which are appropriated to the attorney general on a continuing basis for information technology hardware, software licensing, digital forensic training, and internet safety presentations to assist law enforcement entities and organizations dedicated to preventing technology-facilitated child sexual exploitation and internet crimes against children. Interest earned on moneys in the fund must be credited to the fund.

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-ninth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2167.

Senate Vote: Yeas 47 Nays 0 Absent 0

House Vote: Yeas 88 Nays 0 Absent 6

Secretary of the Senate

Received by the Governor at _____ M. on _____, 2025.

Approved at _____ M. on _____, 2025.

Governor

Filed in this office this _____ day of _____, 2025,

at _____ o'clock _____ M.

Secretary of State