

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO

HOUSE BILL NO. 1364

Introduced by

Representatives Klemin, Karls, Lefor, Louser, Schneider

Senators Dwyer, Larson, Myrdal

1 A BILL for an Act to amend and reenact subsection 3 of section 39-08-01.5 of the North Dakota
2 Century Code, relating to the partial suspension of sentence for drug court program, mental
3 health court program, or veterans treatment docket completion.

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

5 **SECTION 1. AMENDMENT.** Subsection 3 of section 39-08-01.5 of the North Dakota
6 Century Code is amended and reenacted as follows:

7 3. If a defendant convicted of a misdemeanor under section 39-08-01 is sentenced to
8 drug court, mental health court, or veterans treatment docket and successfully
9 completes a drug court program, mental health court, or veterans treatment docket,
10 the court shall dismiss the case and seal the file in accordance with section
11 12.1-32-07.2. The court also shall issue an order to the ~~department~~director to remove
12 the conviction and suspension based on the conviction from the driving record of the
13 defendant, unless doing so is prohibited by title 49, Code of Federal Regulations,
14 section 383.51, or other federal or state law.