

Introduced by

Senators Sickler, Barta, Larson, Myrdal

Representatives Klemin, Satrom

1 A BILL for an Act to amend and reenact subsection 1 of section 54-61-01 of the North Dakota
2 Century Code, relating to the commission on legal counsel for indigents; and to provide an
3 appropriation.

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

5 **SECTION 1. AMENDMENT.** Subsection 1 of section 54-61-01 of the North Dakota Century
6 Code is amended and reenacted as follows:

7 1. The commission on legal counsel for indigents is established for the purpose of
8 developing and monitoring a process for the delivery of state-funded legal counsel
9 services for indigents which are required under the Constitution of North Dakota and
10 the United States Constitution and any applicable statute or court rule. The
11 commission shall provide indigent defense services for indigent individuals determined
12 by the court to be eligible for and in need of those services pursuant to the standards
13 and policies of the commission governing eligibility for such services. For purposes of
14 establishing release conditions at an initial appearance, an incarcerated individual is
15 presumed indigent.

16 **SECTION 2. APPROPRIATION - COMMISSION ON LEGAL COUNSEL FOR**
17 **INDIGENTS - LEGAL COUNSEL SERVICES AT INITIAL APPEARANCES.** There is
18 appropriated out of any moneys in the general fund in the state treasury, not otherwise
19 appropriated, the sum of \$615,734 or so much of the sum as may be necessary, to the
20 commission on legal counsel for indigents for the purpose of providing legal counsel services
21 for incarcerated individuals at initial appearances, for the biennium beginning July 1, 2025, and
22 ending June 30, 2027.