

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

SENATE BILL NO. 2226
(Senators Sickler, Barta, Larson, Myrdal)
(Representatives Klemin, Satrom)

AN ACT to amend and reenact subsection 1 of section 54-61-01 of the North Dakota Century Code, relating to the commission on legal counsel for indigents; to provide an appropriation; and to provide an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

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

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

SECTION 2. APPROPRIATION - COMMISSION ON LEGAL COUNSEL FOR INDIGENTS - LEGAL COUNSEL SERVICES AT INITIAL APPEARANCES. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$463,644 or so much of the sum as may be necessary, to the commission on legal counsel for indigents for the purpose of providing legal counsel services for incarcerated individuals at initial appearances, for the biennium beginning July 1, 2025, and ending June 30, 2027.

SECTION 3. EFFECTIVE DATE. Section 1 of this Act becomes effective on January 1, 2026.

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. 2226.

Senate Vote: Yeas 47 Nays 0 Absent 0

House Vote: Yeas 88 Nays 4 Absent 2

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