

Introduced by

Judiciary Committee

(At the request of the Department of Health and Human Services)

1 A BILL for an Act to amend and reenact section 12.1-04.1-21 of the North Dakota Century
2 Code, relating to criminal responsibility proceedings following a verdict or finding.

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

4 **SECTION 1. AMENDMENT.** Section 12.1-04.1-21 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **12.1-04.1-21. Proceeding following verdict or finding.**

7 After entry of a verdict, finding, or an unresisted plea, that an individual committed the crime
8 charged, but is not guilty by reason of lack of criminal responsibility, the court shall:

- 9 1. Make a finding, based upon the verdict or finding provided in section 12.1-04.1-18, of
10 the expiration date of the court's jurisdiction; and
- 11 2. Order the individual committed to a treatment facility, as defined under chapter
12 25-03.1, for examination. The superintendent or the director of a treatment facility may
13 transfer or assign the individual committed if, in the superintendent's or director's
14 opinion, it would be more appropriate for the individual committed to receive the
15 examination in or by a least restrictive setting if the attending physician or director of
16 the least restrictive setting consents. The treatment facility shall notify the court of the
17 transfer or assignment and the reason therefor. The order of the court may set terms
18 of custody during the period of examination.