

FIRST ENGROSSMENT

ENGROSSED SENATE BILL NO. 2077

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 petition the court to transfer or assign the individual committed if, in the
14 superintendent's or director's opinion, it would be more appropriate for the individual
15 committed to receive the examination in or by a least restrictive setting if the attending
16 physician or director of the least restrictive setting consents. The order of the court
17 may set terms of custody during the period of examination.