

HOUSE BILL NO. 1478

Introduced by

Representatives Monson, Belter

Senators Lyson, G. Nelson, Trenbeath

(Approved by the Delayed Bills Committee)

1 A BILL for an Act to create and enact a new section to chapter 12-44.1 of the North Dakota
2 Century Code, relating to charging inmates for room and board at correctional facilities.

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

4 **SECTION 1.** A new section to chapter 12-44.1 of the North Dakota Century Code is
5 created and enacted as follows:

6 **Room and board - Costs to be paid by inmate.**

- 7 1. The administrator of a correctional facility may charge an inmate who is eighteen
8 years of age or older and who has been convicted of a criminal offense or
9 sentenced for contempt of court for a violation of a domestic violence order for the
10 room and board provided to the inmate while confined in the correctional facility.
11 Any moneys collected under this section must be credited to the general fund of
12 the governing body of the correctional facility. If an inmate fails to pay for room
13 and board, the administrator may file a room and board reimbursement claim with
14 the district court. The reimbursement claim must include the following information:
- 15 a. The name, date of birth, and social security number of the inmate who is the
16 subject of the claim.
 - 17 b. The offense for which the inmate was confined.
 - 18 c. A statement that the notice is being filed as provided by this section.
 - 19 d. The amount of room and board charges the inmate owes.
- 20 2. Upon receipt of a claim for room and board reimbursement, the district court shall
21 approve the claim for the amount owed by the inmate and any fees associated with
22 the filing of the claim. After the claim is approved by the court, the claim for the
23 amount owed by the person has the effect of a judgment for purposes of

- 1 enforcement. However, the judgment does not have priority over a claim for child
2 support obligations owed by the inmate.
- 3 3. The governing body shall use any moneys collected under this section for the
4 following purposes:
- 5 a. Courthouse security equipment and law enforcement personnel costs.
6 b. Infrastructure improvements of a correctional facility, including construction or
7 remodeling costs.
8 c. Infrastructure improvements of a juvenile detention facility, including
9 construction or remodeling costs.
- 10 4. An administrator may submit a plan or recommendations to the governing body of
11 the correctional facility for the use of the funds collected under this section. The
12 governing body shall review the plan or recommendations during the normal
13 budget process of the governing body.
- 14 5. This section does not limit the right of an administrator to obtain any other remedy
15 authorized by law.