

Introduced by

Senators Lyson, Nelson

Representatives DeKrey, Wieland

1 A BILL for an Act to provide for the interstate transfer or travel of probationers; to provide for a  
2 continuing appropriation; and to provide an appropriation.

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

4 **SECTION 1. Interstate transfer or travel of probationers - Fees - Continuing**  
5 **appropriation.**

- 6 1. Upon the approval of a request of a probationer who is under the supervision of the  
7 department of corrections and rehabilitation to transfer residence to another state  
8 under the interstate compact for adult offender supervision, the probationer shall  
9 pay to the department an application fee of one hundred fifty dollars. The  
10 department may waive the offender's application fee. If the department waives the  
11 offender's payment of the fee, the department shall pay the offender's application  
12 fee. In addition to the application fee paid by the probationer or the department,  
13 the county having jurisdiction over the probationer, upon approval of the application  
14 for transfer, shall pay to the department a fee of one hundred fifty dollars.
- 15 2. Any probationer residing in the state who requests a travel permit to travel to  
16 another state shall pay to the department a travel permit fee in accordance with fee  
17 schedules established by the department. In the case of illness or death in the  
18 probationer's family, the department may waive the travel permit fee for hardship.
- 19 3. The department shall transfer all funds collected or paid under this section to the  
20 state treasury for deposit in the probationer violation transportation fund. The  
21 funds deposited in this fund are appropriated to the department on a continuing  
22 basis for the purpose of defraying the costs of returning to the state probationers  
23 who violate their conditions of supervision. The department may contract with a  
24 private entity to assist in the administration of the fund.

1           4.    The department shall adopt rules for implementation of this section.

2           **SECTION 2. APPROPRIATION.** There is appropriated out of any moneys in the  
3 general fund in the state treasury, not otherwise appropriated, the sum of \$15,000, or so much  
4 of the sum as may be necessary, and out of any moneys in the probationer violation  
5 transportation fund, not otherwise appropriated, the sum of \$165,000, or so much of the sum as  
6 may be necessary, to the department of corrections and rehabilitation for the purpose of  
7 defraying the costs of returning to the state probationers who violate their conditions of  
8 supervision, for the biennium beginning July 1, 2003, and ending June 30, 2005.