

**Fifty-eighth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 7, 2003**

SENATE BILL NO. 2339
(Senators Lyson, Nelson)
(Representatives DeKrey, Wieland)

AN ACT to provide for the interstate transfer or travel of probationers; and to provide an appropriation.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. Interstate transfer or travel of probationers - Fees.

1. Upon the approval by the department of corrections and rehabilitation of a request of a probationer who is under the supervision of the department of corrections and rehabilitation to transfer residence to another state under the interstate compact for adult offender supervision, the probationer shall pay to the department an application fee of one hundred fifty dollars. The department may waive the offender's application fee. If the department waives the offender's payment of the fee, the department shall pay the offender's application fee. In addition to the application fee paid by the probationer or the department, the county having jurisdiction over the probationer, upon approval of the application for transfer, shall pay to the department a fee of one hundred fifty dollars.
2. Any probationer residing in the state who requests a travel permit to travel to another state shall pay to the department a travel permit fee of ten dollars. In the case of illness or death in the probationer's family, the department may waive the travel permit fee for hardship.
3. The department shall transfer all funds collected or paid under this section to the state treasury for deposit in the probationer violation transportation fund. The funds deposited in this fund may be spent pursuant to legislative appropriation for the purpose of defraying the costs of returning to the state probationers who violate their conditions of supervision. The department may contract with a private entity to assist in the administration of the fund.
4. The department shall adopt rules for implementation of this section.

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

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 Fifty-eighth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2339.

Senate Vote: Yeas 45 Nays 0 Absent 2

House Vote: Yeas 82 Nays 0 Absent 12

Secretary of the Senate

Received by the Governor at _____ M. on _____, 2003.

Approved at _____ M. on _____, 2003.

Governor

Filed in this office this _____ day of _____, 2003,

at _____ o'clock _____ M.

Secretary of State