

Introduced by

1 A BILL for an Act to amend and reenact sections 11-15-03 and 12-44.1-04 of the North Dakota  
2 Century Code, relating to the duties of the county sheriff and the authority to appoint jail  
3 administrators.

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

5 **SECTION 1. AMENDMENT.** Section 11-15-03 of the North Dakota Century Code is  
6 amended and reenacted as follows:

7 **11-15-03. Duties of sheriff.** The sheriff shall:

- 8 1. Preserve the peace.
- 9 2. Arrest and take before the nearest magistrate, or before the magistrate who issued  
10 the warrant, all persons who attempt to commit or who have committed a public  
11 offense.
- 12 3. Prevent and suppress all affrays, breaches of the peace, riots, and insurrections  
13 which may come to the sheriff's knowledge.
- 14 4. Attend each term of the district court held within the county; obey its lawful orders  
15 and directions; and act as crier thereof and make proclamation of the opening and  
16 adjournment of court and of any other matter under its direction.
- 17 5. Command the aid of as many inhabitants of the county as the sheriff may think  
18 necessary in the execution of the sheriff's duties.
- 19 6. ~~Take~~ Subject to the directive of the board of county commissioners, take charge of  
20 and keep the county jail and the prisoners therein.
- 21 7. Endorse upon all notices and process received by the sheriff for service the year,  
22 month, day, hour, and minute of reception, and issue therefor to the person  
23 delivering it, on payment of the sheriff's fees, a certificate showing the names of  
24 the parties, the title of the paper, and the time of its reception.

- 1           8.    Serve all process or notices in the manner prescribed by law.
- 2           9.    Certify under the sheriff's hand upon each process or notice the time and manner
- 3                 of service, or if the sheriff fails to make service, the reasons for failure, and return
- 4                 the same without delay.
- 5           10.   Perform such other duties as are required of the sheriff by law.
- 6           11.   Enforce, personally or through deputies, all statutes defining traffic violations
- 7                 denominated noncriminal by section 39-06.1-02.

8           **SECTION 2. AMENDMENT.** Section 12-44.1-04 of the North Dakota Century Code is  
9 amended and reenacted as follows:

10           **12-44.1-04. Administration - Organization - Management.** The ~~administrator~~  
11 governing body of each correctional facility shall:

- 12           1.    Formulate an operations manual, available to all correctional facility staff, which
- 13                 delineates the written policies and procedures for operating and maintaining the
- 14                 correctional facility.
- 15           2.    Review and update all policies and procedures in the operations manual at least
- 16                 annually.
- 17           3.    Specify an administrator in the operations manual to whom all correctional facility
- 18                 staff are responsible. The operations manual shall include the administrator's
- 19                 duties, responsibilities, and authority for the management of the correctional facility
- 20                 staff, inmates, programs, and physical plant.
- 21           4.    Ensure that correctional facility staff who work in direct and continuing contact with
- 22                 inmates receive correctional facility training as determined and approved by the
- 23                 department of corrections and rehabilitation.