

**Sixty-first Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 6, 2009**

HOUSE BILL NO. 1127
(Political Subdivisions Committee)
(At the request of the Attorney General)

AN ACT to amend and reenact section 12-62-01.1, subsection 1 of section 19-03.1-32, and subsection 5 of section 54-12-14 of the North Dakota Century Code, relating to the time within which county and city officials have to furnish crime statistics to the attorney general's office, the powers of enforcement personnel, and the asset forfeiture fund; and to repeal sections 44-04-23, 54-12-15, and 54-12-16 of the North Dakota Century Code, relating to computer software concerns upon the advent of the year 2000 and the duties of and protections offered by the drug enforcement unit were assumed by the bureau of criminal investigation.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 12-62-01.1 of the North Dakota Century Code is amended and reenacted as follows:

12-62-01.1. County and city officials to furnish crime statistics. To assist in controlling crime in the state through the use of reliable statistics relating to crimes and criminal activity, the attorney general may obtain from the clerks of district courts, municipal courts, and criminal justice agencies all information the attorney general deems necessary to ascertain the status of crimes and criminal activity in North Dakota. It is the duty of the officials to furnish the information requested by the attorney general within thirty days of the request on whatever forms or in whatever manner the attorney general may prescribe.

SECTION 2. AMENDMENT. Subsection 1 of section 19-03.1-32 of the North Dakota Century Code is amended and reenacted as follows:

1. Any officer of the state bureau of criminal investigation ~~or the state drug enforcement unit~~ designated by the attorney general of this state may:
 - a. Carry firearms in the performance of official duties.
 - b. Execute and serve search warrants, arrest warrants, administrative inspection warrants, subpoenas, and summonses issued under the authority of this state.
 - c. Make arrests without warrant for any offense under this chapter committed in the officer's presence, or if the officer has probable cause to believe that the person to be arrested has committed or is committing a violation of this chapter which may constitute a felony.
 - d. Make seizures of property pursuant to this chapter.
 - e. Perform other law enforcement duties as the attorney general designates.

SECTION 3. AMENDMENT. Subsection 5 of section 54-12-14 of the North Dakota Century Code is amended and reenacted as follows:

5. For paying, at the discretion of the attorney general, overtime compensation to agents of the bureau of criminal investigation ~~and drug enforcement unit~~ incurred as a result of investigations of violations of any state criminal law or law relating to the control of drug abuse.

SECTION 4. REPEAL. Sections 44-04-23, 54-12-15, and 54-12-16 of the North Dakota Century Code are repealed.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-first Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1127.

House Vote: Yeas 86 Nays 0 Absent 8

Senate Vote: Yeas 44 Nays 0 Absent 3

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2009.

Approved at _____ M. on _____, 2009.

Governor

Filed in this office this _____ day of _____, 2009,
at _____ o'clock _____ M.

Secretary of State