

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1416

Page 1, line 1, after "sections" insert "11-16-15," and after "12-60-08.1" insert a comma

Page 1, line 2, remove "the power of the" and replace "to issue administrative" with "and state's attorney"

Page 1, line 3, remove "for bureau investigations"

Page 1, after line 7, insert:

**"SECTION 1. AMENDMENT.** Section 11-16-15 of the North Dakota Century Code is amended and reenacted as follows:

**11-16-15. Criminal act causing death - Felony - Inquiry - State's attorney may subpoena witnesses.** If a state's attorney is aware of any violation or criminal act causing a death or has reason to believe a felony has been committed, the state's attorney may, prior to a crime being charged, inquire into the facts of the violation or criminal act, and, with the consent and approval of the district judge of the county, for such purpose the state's attorney may issue a subpoena for any person who the state's attorney has reason to believe has any information or knowledge of the violation, to appear at a time and place designated in such subpoena to testify concerning the violation. The subpoena must be directed to the sheriff of the county and must be served and returned to the state's attorney in the same manner as subpoenas are served and returned in criminal cases. Each witness must be sworn to testify under oath and to make true answer to all questions which may be propounded to the witness by the state's attorney touching the violation or criminal act. The testimony of every witness must be reduced to writing and must become a part of the coroner's files in the case of a death and of the state's attorney's files in all other cases. For all purposes in this section, the attorney general has all powers granted to a state's attorney and the state's prosecuting attorney may:

1. Administer oaths or affirmations to all witnesses.
2. Apply to the district court for the punishment of any witness for contempt for any disobedience of a subpoena, a refusal to be sworn or to answer as a witness, or a refusal to sign testimony of the witness.
3. Compel the attendance of witnesses or the production of documents or electronically stored data or information under the North Dakota Rules of Criminal Procedure. Any witness compelled to testify under this section is entitled to counsel and all other constitutional rights."

Page 1, line 11, after "the" insert "out-of-state"

Page 1, line 13, after "bureau" insert "related to the sexual exploitation of minors over the internet"

Re-number accordingly