

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

SENATE BILL NO. 2120  
(Judiciary Committee)  
(At the request of the Supreme Court)

AN ACT to amend and reenact subdivision a of subsection 2 of section 27-09.1-08 and section 29-01-06 of the North Dakota Century Code, relating to selection of jurors and defendants' rights.

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

**SECTION 1. AMENDMENT.** Subdivision a of subsection 2 of section 27-09.1-08 of the North Dakota Century Code is amended and reenacted as follows:

- a. Is not a citizen of the United States and a resident of the state and county in the jury pool;

**SECTION 2. AMENDMENT.** Section 29-01-06 of the North Dakota Century Code is amended and reenacted as follows:

**29-01-06. Rights of defendant.** In all criminal prosecutions the party accused has the right:

1. To appear and defend in person and with counsel;
2. To demand and be informed of the nature and cause of the accusation;
3. To meet the witnesses against the party face to face;
4. To have the process of the court to compel the attendance of witnesses in the party's behalf; and
5. To a speedy and public trial, and by an impartial jury ~~of~~ in the county in which the offense is alleged to have been committed or is triable, but subject to the right of the state to have a change of the place of trial for any of the causes for which the party accused may obtain the same.

\_\_\_\_\_  
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 Sixty-first Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2120.

Senate Vote:    Yeas    41        Nays    0        Absent    6

House Vote:    Yeas    91        Nays    0        Absent    3

\_\_\_\_\_  
Secretary of the Senate

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