

PROPOSED AMENDMENTS TO SENATE BILL NO. 2251

Page 1, line 2, remove "12.1-21-04,"

Page 1, line 3, after the fourth comma insert "12.1-32-01, 12.1-32-01.1,"

Page 2, remove lines 18 through 30

Page 3, remove lines 1 and 2

Page 8, line 10, remove the overstrike over "one"

Page 8, line 10, remove "five"

Page 8, line 10, overstrike "hundred" and insert immediately thereafter "thousand"

Page 8, line 19, overstrike the first "a" and insert immediately thereafter ":

a. A"

Page 8, line 21, overstrike "The offense is a" and insert immediately thereafter:

"b. A"

Page 8, line 22, overstrike "a." and insert immediately thereafter:

"(1)"

Page 8, line 25, overstrike "b." and insert immediately thereafter:

"(2)"

Page 8, line 26, remove the overstrike over "one"

Page 8, line 26, remove "five"

Page 8, line 26, overstrike "hundred" and insert immediately thereafter "thousand"

Page 8, line 27, overstrike "Otherwise it is a" and insert immediately thereafter:

"c. A"

Page 8, line 27, after "misdemeanor" insert "in all other cases"

Page 8, after line 27, insert:

**"SECTION 11. AMENDMENT.** Section 12.1-32-01 of the North Dakota Century Code is amended and reenacted as follows:

**12.1-32-01. Classification of offenses - Penalties.**

Offenses are divided into seven classes, which are denominated and subject to maximum penalties, as follows:

1. Class AA felony, for which a maximum penalty of life imprisonment without parole may be imposed. The court must designate whether the life imprisonment sentence imposed is with or without an opportunity for

parole. Notwithstanding the provisions of section 12-59-05, a person found guilty of a class AA felony and who receives a sentence of life imprisonment with parole, shall not be eligible to have that person's sentence considered by the parole board for thirty years, less sentence reduction earned for good conduct, after that person's admission to the penitentiary.

2. Class A felony, for which a maximum penalty of twenty years' imprisonment, a fine of ~~ten~~twenty thousand dollars, or both, may be imposed.
3. Class B felony, for which a maximum penalty of ten years' imprisonment, a fine of ~~ten~~twenty thousand dollars, or both, may be imposed.
4. Class C felony, for which a maximum penalty of five years' imprisonment, a fine of ~~five~~ten thousand dollars, or both, may be imposed.
5. Class A misdemeanor, for which a maximum penalty of one year's imprisonment, a fine of ~~two~~three thousand dollars, or both, may be imposed.
6. Class B misdemeanor, for which a maximum penalty of thirty days' imprisonment, a fine of one thousand five hundred dollars, or both, may be imposed.
7. Infraction, for which a maximum fine of ~~five hundred~~one thousand dollars may be imposed. Any person convicted of an infraction who has, within one year prior to commission of the infraction of which the person was convicted, been previously convicted of an offense classified as an infraction may be sentenced as though convicted of a class B misdemeanor. If the prosecution contends that the infraction is punishable as a class B misdemeanor, the complaint shall specify that the offense is a misdemeanor.

This section shall not be construed to forbid sentencing under section 12.1-32-09, relating to extended sentences.

**SECTION 12. AMENDMENT.** Section 12.1-32-01.1 of the North Dakota Century Code is amended and reenacted as follows:

**12.1-32-01.1. Organizational fines.**

Any organization, as defined in section 12.1-03-04, shall, upon conviction, be subject to a maximum fine in accordance with the following classification:

1. For a class A felony, a maximum fine of ~~fifty~~one hundred thousand dollars.
2. For a class B felony, a maximum fine of ~~thirty-five~~seventy thousand dollars.
3. For a class C felony, a maximum fine of ~~twenty-five~~fifty thousand dollars.
4. For a class A misdemeanor, a maximum fine of ~~fifteen~~thirty thousand dollars.

5. For a class B misdemeanor, a maximum fine of ~~ten~~twenty thousand dollars.

Nothing in this section shall be construed as preventing the imposition of the sanction provided for in section 12.1-32-03, nor as preventing the prosecution of agents of the organization under section 12.1-03-03."

Renumber accordingly