

Sixty-fourth
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2199

Introduced by

Senators Dever, Armstrong, Nelson

Representatives Haak, Oversen, Sanford

1 A BILL for an Act to provide an appropriation to the attorney general for a human trafficking
2 victims treatment and support services ~~pilot project~~; to amend and reenact section 54-12-14 of
3 the North Dakota Century Code, relating to the assets forfeiture fund; and to provide for a report
4 to the legislative management.

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

6 **SECTION 1. APPROPRIATION - LEGISLATIVE MANAGEMENT REPORT.** There is
7 appropriated out of any moneys in the general fund in the state treasury, not otherwise
8 appropriated, the sum of \$1,000,000, or so much of the sum as may be necessary, to the
9 attorney general for the purpose of ~~implementing a human trafficking victims treatment and~~
10 ~~support services pilot project for the biennium beginning July 1, 2015, and ending June 30,~~
11 ~~2017. As part of the pilot project, the attorney general shall, in consultation with representatives~~
12 ~~of organizations involved in prevention and treatment services relating to human trafficking,~~
13 ~~develop a victims treatment and support services model to address the needs of human~~
14 ~~trafficking victims as defined in section 2 of 2015 Senate Bill No. 2107, including the~~
15 ~~development and implementation of a statewide protocol for intervention and response methods~~
16 ~~for professionals, individuals, and state agencies that may encounter human trafficking victims;~~
17 ~~intervention and prevention methods; emergency or long term crisis centers; residential care;~~
18 ~~direct care; training for law enforcement, educators, social services providers, foster care~~
19 ~~providers, health care workers, advocates, court officials, prosecutors, and public defenders;~~
20 ~~support of advocacy services; and programs promoting positive outcomes for victims~~providing
21 grants to organizations involved in prevention and treatment services related to human
22 trafficking victims for the biennium beginning July 1, 2015, and ending June 30, 2017. The
23 attorney general may provide grants for the development and implementation of direct care,
24 emergency or long-term crisis services, residential care, training for law enforcement, support of

1 advocacy services, and programs promoting positive outcomes for victims. The attorney general
2 shall report to the legislative management during the 2015-16 interim on the status and results
3 of the ~~pilot project~~grant program.

4 **SECTION 2. AMENDMENT.** Section 54-12-14 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **54-12-14. Assets forfeiture fund - Created - Purpose - Continuing appropriation.**

7 1. The attorney general assets forfeiture fund consists of funds appropriated by the
8 legislative assembly and additional funds obtained from moneys, assets, and
9 proceeds seized and forfeited pursuant to section 19-03.1-36, amounts received
10 through court proceedings as restitution, amounts remaining from the forfeiture of
11 property after the payment of expenses for forfeiture and sale authorized by law, and
12 amounts received from a multijurisdictional drug task force as defined in section
13 54-12-26. The amount of deposits into the fund which do not come from legislative
14 appropriation or from a multijurisdictional drug task force and are not payable to
15 another governmental entity may not exceed two hundred thousand dollars within a
16 biennium and any moneys in excess of that amount must be deposited in the general
17 fund. The funds are appropriated, as a standing and continuing appropriation, to the
18 attorney general for the following purposes:

- 19 ~~1.~~ a. For obtaining evidence for enforcement of any state criminal law or law relating to
20 the control of drug abuse.
- 21 ~~2.~~ b. For repayment of rewards to qualified local programs approved under section
22 12.1-32-02.2, if the information that was reported to the qualified local program
23 substantially contributed to forfeiture of the asset, and for paying, at the discretion
24 of the attorney general, rewards for other information or assistance leading to a
25 forfeiture under section 19-03.1-36.
- 26 ~~3.~~ c. For paying, at the discretion of the attorney general, any expenses necessary to
27 seize, detain, inventory, safeguard, maintain, advertise, or sell property seized,
28 detained, or forfeited pursuant to section 19-03.1-36, or of any other necessary
29 expenses incident to the seizure, detention, or forfeiture of such property.

1 | ~~4.~~ d. For equipping, for law enforcement functions, forfeited vessels, vehicles, and
2 | aircraft retained as provided by law for official use by the state board of pharmacy
3 | or a law enforcement agency.

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

8 | ~~6.~~ f. For paying matching funds required to be paid as a condition for receipt of funds
9 | from a federal government program awarding monetary grants or assistance for
10 | the investigation, apprehension, or prosecution of persons violating the
11 | provisions of chapter 19-03.1.

12 | 2. The attorney general shall, with the concurrence of the director of the office of
13 | management and budget, establish the necessary accounting procedures for the use
14 | of the fund, and shall personally approve, in writing, all requests from the director of
15 | the bureau of criminal investigation or the director of the drug enforcement unit for the
16 | use of the fund.

17 | 3. Notwithstanding subsection 1, the amount of deposits into the fund related to human
18 | trafficking are appropriated, as a standing and continuing appropriation, to the attorney
19 | general for awarding grants to organizations providing prevention and treatment
20 | services for human trafficking victims.