

Introduced by

1 A BILL for an Act to amend Section 39-12-20 of the North Dakota Century Code, relating to
2 proceeds of sale deposited with the state treasurer; to provide an effective date; and to declare
3 an emergency.

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

5 **SECTION 1. AMENDMENT.** Section 39-12-20 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **39-12-20. ~~(Effective through June 30, 2017)~~ Proceeds of sale - Continuing**
8 **appropriation.**

9 The proceeds of sale must be deposited with the state treasurer. For a violation on an
10 interstate or a state highway, the state treasurer shall deposit in the state highway fund an
11 amount equal to the amount of the charges assessed under section 39-12-17 after paying the
12 costs to the county. For any violation, an amount equal to the costs of the proceedings,
13 including attorney's and witness fees and costs, is appropriated on a continuing basis out of the
14 funds collected to the county of prosecution for the purpose of defraying the costs of
15 prosecution. From the proceeds of sale for a violation that did not occur on an interstate or a
16 state highway, the amount of charges assessed under section 39-12-17 is appropriated on a
17 continuing basis and must be deposited in the general fund in the jurisdiction in which the
18 violation occurred and must be used for the support of the road system of that jurisdiction. The
19 balance of the proceeds of any sale after the payment of costs and charges is appropriated on
20 a continuing basis out of the funds collected to be paid to the person entitled to the proceeds as
21 determined by the court or must be deposited with the clerk of court for payment to that person.

22 ~~**(Effective after June 30, 2017) Proceeds of sale -- Continuing appropriation.** The~~
23 ~~proceeds of sale must be deposited with the state treasurer. The state treasurer shall deposit in~~
24 ~~the highway fund an amount equal to the amount of the charges assessed pursuant to section~~

1 ~~39-12-17 after paying the costs to the county. An amount equal to the costs of the proceedings,~~
2 ~~including attorney's and witness fees and costs, is appropriated on a continuing basis out of the~~
3 ~~funds collected to the county in which the prosecution took place for the purpose of defraying~~
4 ~~the costs of prosecution. The balance of the proceeds of any sale after the payment of costs~~
5 ~~and charges is appropriated on a continuing basis out of the funds collected to be paid to the~~
6 ~~person entitled thereto as determined by the court or must be deposited with the clerk of court~~
7 ~~for such payment.~~

8 **SECTION 2. EFFECTIVE DATE.** This Act becomes effective on July 1, 2017.

9 **SECTION 3. EMERGENCY.** This Act is declared to be an emergency measure.