

## FIRST ENGROSSMENT

### ENGROSSED HOUSE BILL NO. 1344

Introduced by

Representatives Heinert, Kiefert, Koppelman, Louser, O'Brien, Pyle, M. Ruby

Senators Roers, Sickler

1 A BILL for an Act to create and enact a new section to chapter 54-23.3 of the North Dakota  
2 Century Code, relating to use of local jails or correctional facilities for inmates sentenced to the  
3 physical custody of the department of corrections and rehabilitation.

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

5 **SECTION 1.** A new section to chapter 54-23.3 of the North Dakota Century Code is created  
6 and enacted as follows:

#### 7 **Denial of admission.**

- 8 1. If the department of corrections and rehabilitation is beyond capacity and denies the  
9 admission of an inmate sentenced to the physical custody of the department, the  
10 department may use local jails or correctional facilities and negotiate the terms of the  
11 agreement with each facility.
- 12 2. Admission of an inmate is denied by the department when a county requests  
13 admission to the department with a judgment of conviction ordering an individual to be  
14 placed with the physical custody of the department and the request for admission is  
15 denied or unavailable within seven days of notification to the department. When the  
16 denial of admission exceeds seven days, the department is responsible to pay the  
17 contracted rate beginning from the date of initial notification of the judgment of  
18 conviction and placement in the physical custody of the department.
- 19 3. An agreement under this section must include a minimum daily rate per inmate,  
20 including medical costs, to be paid by the department to the governing body of the jail  
21 or correctional facility beginning the day after the department receives notice from the

- 1 district court of an order placing an individual in the care and custody of the
- 2 department and ending on the admission date provided by the department.