

**Sixty-ninth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 7, 2025**

HOUSE BILL NO. 1344
(Representatives Heinert, Kiefert, Koppelman, Louser, O'Brien, Pyle, M. Ruby)
(Senators Roers, Sickler)

AN ACT to create and enact a new section to chapter 54-23.3 of the North Dakota Century Code, relating to use of local jails or correctional facilities for inmates sentenced to the physical custody of the department of corrections and rehabilitation.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

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

Denial of admission.

1. If the department of corrections and rehabilitation is beyond capacity and denies the admission of an inmate sentenced to the physical custody of the department, the department may use local jails or correctional facilities and negotiate the terms of the agreement with each facility.
2. Admission of an inmate is denied by the department when a county requests admission to the department with a judgment of conviction ordering an individual to be placed with the physical custody of the department and the request for admission is denied or unavailable within seven days of notification to the department. When the denial of admission exceeds seven days, the department is responsible to pay the contracted rate beginning from the date of initial notification of the judgment of conviction and placement in the physical custody of the department.
3. An agreement under this section must include a minimum daily rate per inmate, including medical costs, to be paid by the department to the governing body of the jail or correctional facility beginning the day after the department receives notice from the district court of an order placing an individual in the care and custody of the department and ending on the admission date provided by the department.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-ninth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1344.

House Vote: Yeas 90 Nays 0 Absent 4

Senate Vote: Yeas 46 Nays 0 Absent 1

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2025.

Approved at _____ M. on _____, 2025.

Governor

Filed in this office this _____ day of _____, 2025,

at _____ o'clock _____ M.

Secretary of State