

SB 2037
House Appropriations Committee
Rep. Lawrence R. Klemin
April 3, 2025

Mr. Chairman and Members of the Committee. SB 2037 relates to the beginning of a criminal code for juveniles. The criminal code that we now have in the law is used for adults and is not necessarily appropriate for juveniles without some amendment.

In the 2023 Session, HB 1195 provided for a study of the criminal code to review the application of adult crime and punishment as applied to youth charged with juvenile delinquencies. The study was assigned to the interim Juvenile Justice Committee, which formed a workgroup to analyze the criminal code and to draft a juvenile criminal code. SB 2037 is the result of those efforts.

SB 2037 is not an entire criminal code for juveniles because the interim did not provide enough time for a complete compilation of the crimes as applied to juveniles. Rather, SB 2037 includes the most relevant features of a juvenile criminal code by amending the adult criminal code where appropriate to apply to juveniles ages 10 to 17. Juveniles under the age of 10 legally lack criminal responsibility. An individual over the age of 18 is an adult, although there are some cases where a juvenile under the age of 18 can be tried as an adult. That is a separate proceeding that is already in the law.

Most of the sections in this bill are criminal code sections that have age amendments inserted relating to the ages of juveniles. These sections include Sections 1,3,4,5,6,7, and 8.

Section 2 relates to the jurisdiction of the district court in a juvenile proceeding involving a question of criminal responsibility due to the age of the offender. Section 9 relates to student misconduct and restricts the ability to participate in extracurricular activities. Section 10 contains a cross reference. Section 11 sets out the procedure for preparing, filing and serving a petition alleging delinquency. Section 12 relates to fitness to proceed with a juvenile case in court if there is a lack of criminal responsibility. Sections 13, 14 and 15 contain cross references. Section 16 relates to the collateral consequences of a child involved in a sexual offense, restrictions on use of firearms, and loss of driving privileges for the commission of crimes. Section 17 relates to penalties for a juvenile who commits crimes with the use of a firearm. Section 18 contains the repeal of several sections in the juvenile code that are no longer necessary having been included in other sections in this bill. Section 19 contains an appropriation of \$300,000 to the DHHS for the purpose of contracting for juvenile fitness to proceed evaluation services.

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