

**Sixty-sixth Legislative Assembly of North Dakota
In Regular Session Commencing Thursday, January 3, 2019**

HOUSE BILL NO. 1147
(Representatives Lefor, Devlin, Heinert, K. Koppelman, Roers Jones, M. Ruby)
(Senator Wardner)

AN ACT to create and enact a new section to chapter 40-18 of the North Dakota Century Code, relating to the location of a proceeding before a municipal judge and the use of reliable electronic means.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 40-18 of the North Dakota Century Code is created and enacted as follows:

Change of venue - Reliable electronic means.

1. A municipal judge may change the venue of a proceeding under this chapter upon consideration of the following factors:
 - a. Convenience to the parties and witnesses;
 - b. Judicial efficiency;
 - c. Available facilities; and
 - d. Administration of justice.
2. A municipal judge may not change the venue of a proceeding if any party to the proceeding objects to the change.
3. A municipal judge may use contemporaneous audio or audiovisual transmission by reliable electronic means in accordance with rule 52 of the North Dakota Supreme Court Administrative Rules. A municipal judge who presides over a proceeding through contemporaneous audio or audiovisual transmission by reliable electronic means is equivalent to a municipal judge who is physically present at the proceeding.

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-sixth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1147.

House Vote: Yeas 92 Nays 0 Absent 2

Senate Vote: Yeas 46 Nays 0 Absent 1

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2019.

Approved at _____ M. on _____, 2019.

Governor

Filed in this office this _____ day of _____, 2019,

at _____ o'clock _____ M.

Secretary of State