

HOUSE BILL NO. 1233

Introduced by

Representatives Berg, Dahl, DeKrey

Senators Lyson, Nelson

1 A BILL for an Act to amend and reenact section 39-03-18 of the North Dakota Century Code,
2 relating to the highway patrol asset forfeiture fund.

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

4 **SECTION 1. AMENDMENT.** Section 39-03-18 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **39-03-18. Highway patrol - Assets forfeiture fund - Purpose - Continuing**

7 **appropriation.** There is created a fund to be known as the highway patrol assets forfeiture
8 fund. The fund consists of funds obtained from moneys, assets, and proceeds seized and
9 forfeited pursuant to section 19-03.1-36, amounts received through court proceedings as
10 restitution, and amounts remaining from the forfeiture of property after the payment of expenses
11 for forfeiture and sale authorized by law, ~~and funds received from federal shared forfeiture~~
12 ~~proceedings~~. The total amount of deposits into the fund may not exceed three hundred
13 thousand dollars within a biennium and any moneys in excess of that amount must be
14 deposited in the general fund. The funds are appropriated as a continuing appropriation to the
15 highway patrol for the following purposes:

- 16 1. For paying expenses necessary to inventory, safeguard, maintain, advertise, or sell
17 property seized, detained, or forfeited, pursuant to section 19-03.1-36, or of any
18 other necessary expenses incident to the seizure, detention, or forfeiture of the
19 property.
- 20 2. For paying overtime compensation incurred as a result of investigations or
21 violations of any state criminal law or law relating to the control of drug abuse.
- 22 3. For purchasing equipment related to criminal interdiction.
- 23 4. For paying matching funds required as a condition for receipt of funds from a
24 federal government program awarding monetary grants or assistance for the

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Legislative Assembly

- 1 investigation or apprehension of persons violating the provisions of chapter
- 2 19-03.1.
- 3 The superintendent of the highway patrol, with the concurrence of the director of the office of
- 4 management and budget, shall establish the necessary accounting procedures for the use of
- 5 the fund and shall personally approve, in writing, all requests for the use of the fund.