

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1534

Page 1, line 1, after "reenact" insert "subsection 2 of section 39-08-01 and"

Page 1, after line 3, insert:

**"SECTION 1. AMENDMENT.** Subsection 2 of section 39-08-01 of the North Dakota Century Code is amended and reenacted as follows:

2. ~~A person~~ Unless as otherwise provided in section 39-08-01.2, an individual violating this section or equivalent ordinance is guilty of a class B misdemeanor for the first or second offense in a five-year period, of a class A misdemeanor for a third offense in a five-year period, of a class A misdemeanor for the fourth offense in a seven-year period, and of a class C felony for a fifth or subsequent offense in a seven-year period. The minimum penalty for violating this section is as provided in subsection 4. The court shall take judicial notice of the fact that an offense would be a subsequent offense if indicated by the records of the director or may make a subsequent offense finding based on other evidence.

Page 1, line 12, replace "under chapter 12.1-16" with "imposed" and replace "be" with "include"

Page 1, line 14, after "section" insert "39-08-01, or section"

Page 1, line 16, after "drugs" insert an underscored comma and remove the overstrike over "~~serious~~"

Page 1, line 20, after "and" insert "the sentence" and replace "be" with "include"

Page 1, line 21, remove "sentenced to"

Renumber accordingly