

Sixty-fourth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1368

Introduced by

Representatives Delmore, Keiser, Kretschmar, Oversen

Senators Carlisle, Casper, Grabinger, Poolman

1 A BILL for an Act to amend and reenact section 12.1-17-13 of the North Dakota Century Code,
2 relating to ~~the requirements~~mandated treatment of domestic violence ~~offender treatment~~
3 ~~programs~~offenders.

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

5 **SECTION 1. AMENDMENT.** Section 12.1-17-13 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **12.1-17-13. Mandated treatment of domestic violence offenders.**

8 ~~—1.~~The sentence for an offense under section 12.1-17-01, 12.1-17-01.1, 12.1-17-02,
9 12.1-17-03, 12.1-17-04, or 12.1-17-05 against an actor's family or household member, as
10 defined in subsection 4 of section 14-07.1-01, must include an order to complete a domestic
11 violence offender treatment program. A court may not order the offender to attend anger
12 management classes or individual counseling unless a domestic violence offender treatment
13 program is not reasonably available to the defendant and the court makes ~~written~~ findings for
14 the record explaining why ~~such~~ an order to complete a domestic violence offender treatment
15 program would be inappropriate.

16 ~~—2.~~ A domestic violence offender treatment program is a program offered by an individual
17 or an organization which provides education, counseling, or treatment for offenders
18 and which is aimed at safeguarding victims and changing the behavior of offenders. A
19 domestic violence offender treatment program must:

20 ~~—a.~~ Establish an intake process that includes assessment of the offender's history,
21 the appropriateness for treatment, and crisis planning for the victim and offender;

22 ~~—b.~~ Offer a comprehensive multi-session treatment curriculum that is provided by at
23 least one facilitator who has completed a domestic violence treatment training.

- 1 ~~program designed to provide education, therapy, and crisis management to stop~~
2 ~~violent and abusive behavior;~~
3 ~~c. Develop procedures regarding contact with the victim of the offender in treatment;~~
4 ~~d. Collaborate with all components of the judicial system which have contact with~~
5 ~~the offender and the victim; and~~
6 ~~e. Establish an informational exchange process with the judicial system.~~
7 ~~3. To be considered a qualified domestic violence offender treatment program under this~~
8 ~~section, a provider must submit a notarized certificate of compliance to the court.~~