

HOUSE BILL NO. 1399

Introduced by

Representatives Klemin, Karls, Lefor, Schneider, Louser

Senators Dwyer, Larson, Myrdal, Sickler

1 A BILL for an Act to amend and reenact section 31-01-16 of the North Dakota Century Code,
2 relating to compensation and mileage and travel expenses for witnesses.

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

4 **SECTION 1. AMENDMENT.** Section 31-01-16 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **31-01-16. Compensation and mileage and travel expense of witness.**

7 1. A witness in a civil or criminal case is entitled to receive:

8 4. a. A sum of twenty-five dollars for each day necessarily in attendance before the
9 district court or before any other board or tribunal, except municipal court.

10 2. b. A sum for mileage and travel expense reimbursement equal to the
11 reimbursement rates provided for state employees in sections 44-08-04 and
12 54-06-09.

13 2. In all criminal cases in district court, the attorney general shall pay prosecution witness
14 fees and expenses, in an amount not to exceed ~~twenty-five thousand dollar~~thirty
15 thousand dollars per county per biennium, and the commission on legal counsel for
16 indigents shall pay witness fees and expenses for witnesses in those cases in which
17 counsel has been provided by the commission. Prisoners may not be compensated as
18 witnesses under this section. If a county exceeds the thirty thousand dollar
19 reimbursement during a biennium, the county may enter an agreement with another
20 county for the purpose of allowing that county to receive another county's unused
21 reimbursement funds for that biennium, with the approval of the attorney general.