

**Sixty-eighth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 3, 2023**

HOUSE BILL NO. 1453
(Representatives Schneider, Bahl, Conmy, Hanson, Klemin, Roers Jones, Satrom)
(Senators Braunberger, Dwyer, Mathern)

AN ACT to create and enact a new section to chapter 29-08 of the North Dakota Century Code, relating to a uniform bail schedule initiative; and to provide for a legislative management report.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 29-08 of the North Dakota Century Code is created and enacted as follows:

Supreme court uniform bail schedule initiative - Report.

1. The supreme court shall establish a uniform bail schedule to apply when an individual has been taken into custody and has not yet appeared before the district court for a violation of a state offense to achieve substantial uniformity of bail in district court.
2. The uniform bail schedule must be established in cooperation with the district court.
3. When establishing the uniform bail schedule, the supreme court shall consider the following factors when setting the standard amount of bail:
 - a. Maintaining public safety;
 - b. The severity of the offense justifying the bail amount;
 - c. The need to assure defendants appear for court hearings;
 - d. Equal treatment within the judicial system;
 - e. Constitutional limits and requirements related to bail;
 - f. Prohibiting excessive bail; and
 - g. Any other factors considered by the supreme court to be relevant.
4. The supreme court may adjust the standard bail amounts established by the uniform bail schedule as needed or when requested by the district court.
5. The uniform bail schedule must be implemented by August 1, 2024.
6. Before September 1, 2024, the supreme court shall provide a report to the legislative management regarding the implementation of the uniform bail schedule and the standard amount of bail for each state offense.

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-eighth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1453.

House Vote: Yeas 82 Nays 11 Absent 1

Senate Vote: Yeas 44 Nays 2 Absent 1

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2023.

Approved at _____ M. on _____, 2023.

Governor

Filed in this office this _____ day of _____, 2023,

at _____ o'clock _____ M.

Secretary of State