

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

SENATE BILL NO. 2138  
(Senators Rummel, Sickler)  
(Representatives Lefor, Steiner)

AN ACT to amend and reenact section 40-18-05 of the North Dakota Century Code, relating to municipal judges.

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

**SECTION 1. AMENDMENT.** Section 40-18-05 of the North Dakota Century Code is amended and reenacted as follows:

**40-18-05. Municipal judge is conservator of the peace ~~–Powers on Sunday restricted.~~**

The municipal judge within the judge's city shall be a conservator of the peace and shall have power to bring persons before the municipal judge ~~forthwith for trial~~which are charged with violations of municipal ordinances. The municipal judge's court shall be open ~~every day except Sundays~~determined by the city to hear and determine cases cognizable before the municipal judge. ~~The municipal judge shall perform no official act on Sunday but may receive complaints, issue process, take bail, and receive verdicts.~~

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-eighth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2138.

Senate Vote:    Yeas 47            Nays 0            Absent 0

House Vote:    Yeas 90            Nays 2            Absent 2

\_\_\_\_\_  
Secretary of the Senate

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