

**Sixty-eighth Legislative Assembly of North Dakota  
In Special Session Commencing Monday, October 23, 2023**

SENATE BILL NO. 2396  
(Legislative Management)

AN ACT to amend and reenact subsection 2 of section 19-03.1-22.6 of the North Dakota Century Code, relating to a special penalty for death or injury through distribution of illegal drugs; to provide a penalty; and to provide an effective date.

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

**SECTION 1. AMENDMENT.** Subsection 2 of section 19-03.1-22.6 of the North Dakota Century Code is amended and reenacted as follows:

2. An individual is guilty of causing death or injury by distributing a controlled substance if the individual willfully ~~supplies another to deliver a controlled substance to an individual who consumes the controlled substance and that~~delivers a controlled substance, or supplies another to deliver or consume a controlled substance, and an individual dies or is injured from overdosing after consuming a portion of ~~the~~that controlled substance.
  - a. A violation of this section is a class A felony.
  - b. This section does not limit a conviction under chapter 12.1-16, but an individual may not be found guilty of this section and an offense under chapter 12.1-16 if the conduct arises out of the same course of conduct.

**SECTION 2. EFFECTIVE DATE.** This Act becomes effective immediately upon its filing with the secretary of state.

Tammy Miller  
President of the Senate

Dennis Johnson  
Speaker of the House

De Rod  
Secretary of the Senate

Bull T. Reed  
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. 2396.

Senate Vote: Yeas 47 Nays 0 Absent 0

House Vote: Yeas 89 Nays 0 Absent 5

De Rod  
Secretary of the Senate

Received by the Governor at 1:55 PM on October 25, 2023.

Approved at 2:40 PM on October 25, 2023.

Doug Burgum  
Governor

Filed in this office this 25<sup>th</sup> day of October, 2023,  
at 4:18 o'clock P M.

Michael Howe  
Secretary of State