

HOUSE CONCURRENT RESOLUTION NO. 3051

Introduced by

Representatives Klemin, Keiser

1 A concurrent resolution directing the Legislative Council to study the impact a constitutional
2 guarantee of the right to individual privacy would have on state laws.

3 **WHEREAS**, the Fifty-seventh Legislative Assembly considered House Concurrent
4 Resolution No. 3008, a constitutional amendment that would have provided that the right of
5 individual privacy is essential and may not be infringed without the showing of a compelling
6 state interest; and

7 **WHEREAS**, the constitutions of a number of states, including Montana, California, and
8 Alaska, contain provisions that recognize an individual's right to privacy and provide that the
9 right to privacy may not be infringed; and

10 **WHEREAS**, based on the constitutional right to privacy, courts in Montana, California,
11 and Alaska have struck down state laws that place limitations and restrictions on the
12 performance of abortions; and

13 **WHEREAS**, during the consideration of House Concurrent Resolution No. 3008, a
14 concern was raised that a constitutional right to privacy may impact any number of areas of law,
15 including open and closed governmental records, income and financial records, medical
16 records, vital statistics, adoption, parental consent, abortion, and search and seizure issues;

17 **NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES**
18 **OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:**

19 That the Legislative Council study the impact a constitutional guarantee of the right to
20 individual privacy would have on state laws; and

21 **BE IT FURTHER RESOLVED**, that the Legislative Council report its findings and
22 recommendations, together with any legislation required to implement the recommendations, to
23 the Fifty-eighth Legislative Assembly.