

Fifty-eighth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1320

Introduced by

Representatives Koppelman, Boehning, DeKrey

Senators Bercier, Nelson, Traynor

1 A BILL for an Act to amend and reenact section 11-19.1-11 of the North Dakota Century Code,
2 relating to the confidentiality of photographs and video recordings.

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

4 **SECTION 1. AMENDMENT.** Section 11-19.1-11 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **11-19.1-11. Coroner may perform autopsy - Notice of results - Confidentiality.**

7 The coroner or the coroner's medical deputy, if the coroner deems it necessary, may take
8 custody of the dead body for the purpose of autopsy. When the coroner does not deem an
9 autopsy necessary, the sheriff and state's attorney may direct an autopsy be performed. Upon
10 the death of a child whose cause of death is suspected by the child's parent or guardian or the
11 coroner or the coroner's medical deputy to have been the sudden infant death syndrome, the
12 coroner or the coroner's medical deputy, after consultation with the parent or guardian, shall
13 take custody of the dead body and shall arrange for the performance of the autopsy by a
14 qualified pathologist, unless the county coroner, sheriff, state's attorney, and the parent or
15 guardian all agree that an autopsy is unnecessary. The parents or guardian and the state
16 health officer shall be promptly notified of the results of that autopsy. Photographs or video
17 recordings of an autopsy are confidential and may only be provided to the decedent's
18 immediate family, a medical school for use for educational purposes, law enforcement
19 agencies, or pursuant to a court order. For purposes of this section, "immediate family" means
20 the decedent's spouse, parent, child, or sibling.