

Sixty-first
Legislative Assembly
of North Dakota

HOUSE BILL NO.

Introduced by

Representative Heller

1 A BILL for an Act to amend and reenact section 11-19.1-08 of the North Dakota Century Code,
2 relating to the confidentiality of autopsy reports.

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

4 **SECTION 1. AMENDMENT.** Section 11-19.1-08 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **11-19.1-08. Records of coroner's office.**

7 1. ~~It is the duty of the~~ The coroner ~~to shall~~ keep a full and complete record and ~~to~~ fill
8 in the cause of death upon the death certificate in all cases coming under the
9 coroner's jurisdiction. All records must be kept in the office of the coroner; if the
10 coroner maintains an office as coroner, ~~and if.~~ If the coroner maintains no
11 separate office, ~~then the records must be kept~~ in the office of the recorder of the
12 county; unless the board of county commissioners designates a different official;
13 ~~and.~~ The records must be properly indexed, stating the name, if known, of every
14 deceased ~~person~~ individual, the place where the body was found, date of death,
15 cause of death, and all other available information required by this chapter. The
16 report of the coroner and the detailed findings of the autopsy, if one was
17 performed, must be attached to the report of every case. The coroner ~~shall~~
18 promptly shall deliver or cause to be delivered to the state's attorney of the county
19 in which a death occurred copies of all necessary records relating to every death in
20 which the coroner or state's attorney determines further investigation advisable.
21 The sheriff of the county, the police of the city, or the state highway patrolmen on
22 duty in that county in which the death occurred may be requested to furnish more
23 information or make further investigation by the coroner or the coroner's deputy.
24 The state's attorney may obtain from the office of the coroner copies of records

- 1 and other information necessary for further investigation. ~~All records of the coroner~~
2 ~~shall become and remain the property of the county and are public records.~~
3 2. Unless the release or disclosure of an autopsy report is otherwise required or
4 authorized by law, an autopsy report is confidential and may be released only to
5 the decedent's spouse, child, parent, or sibling, upon proof of the relationship.