

Sixty-first
Legislative Assembly
of North Dakota

Introduced by

Senator G. Lee

1 A BILL for an Act to create and enact a new section to chapter 44-04 of the North Dakota
2 Century Code, relating to exempting certain employment application information from open
3 records requirements.

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

5 **SECTION 1.** A new section to chapter 44-04 of the North Dakota Century Code is
6 created and enacted as follows:

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- 8 1. A record that would identify an individual applying for or under consideration for
9 employment or appointment as the executive head of a public entity is an exempt
10 record, except that at least fourteen days before the meeting at which a final
11 action or vote is to be taken with respect to the selection or appointment for the
12 position, each record relating to each individual under final consideration for the
13 position must be deemed to be a public record.
- 14 2. Before making the records public, the public entity may allow each individual under
15 final consideration to decline being considered further for the position and request
16 that the records relating to that individual's application remain exempt.
- 17 3. Notwithstanding subsections 1 and 2, a public entity, upon request, shall provide
18 information regarding the number of applicants for consideration for employment or
19 appointment as the executive head of a public entity.