

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

- 1 investigation. ~~All records of the coroner shall become and remain the property of~~
2 ~~the county and are public records.~~
- 3 2. An autopsy report is confidential and may be released only to the decedents'
4 spouse, child, parent, or sibling, upon proof of the relationship or unless otherwise
5 authorized or required by law.