

Sixty-second  
Legislative Assembly  
of North Dakota

**ENGROSSED HOUSE BILL NO. 1075**

Introduced by

Representative Glassheim

Senator Andrist

(At the request of the State Historical Society of North Dakota)

1 A BILL for an Act to amend and reenact subdivision b of subsection 3 of section 54-46-02 and  
2 section 54-46-07 of the North Dakota Century Code, relating to the definition of records and the  
3 recovery of records.

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

5 **SECTION 1. AMENDMENT.** Subdivision b of subsection 3 of section 54-46-02 of the North  
6 Dakota Century Code is amended and reenacted as follows:

7 b. A record of the state legislative assembly held by an agency.

8 **SECTION 2. AMENDMENT.** Section 54-46-07 of the North Dakota Century Code is  
9 amended and reenacted as follows:

10 **54-46-07. Records not to be ~~damaged or destroyed or removed~~.**

11 All records made or received by or under the authority of or coming into the custody,  
12 control, or possession of public officials of this state in the course of their public duties are the  
13 property of the state and may not be mutilated, destroyed, transferred, removed, sold, or  
14 otherwise damaged or disposed of, in whole or in part, except as provided by law. Each state  
15 agency and political subdivision of this state shall notify the state records management  
16 administrator of unlawful actions affecting records. Public records that have been unlawfully  
17 removed must be returned to the office of origin or to the state archivist.