

**Sixty-seventh Legislative Assembly of North Dakota  
In Regular Session Commencing Tuesday, January 5, 2021**

SENATE BILL NO. 2131  
(Senators Lee, Hogan, K. Roers)  
(Representatives Hatlestad, Roers Jones, Westlind)

AN ACT to create and enact a new subdivision to subsection 2 of section 12-60-24 of the North Dakota Century Code, relating to criminal history record checks requested by the department of human services; to amend and reenact section 50-25.1-11.1 of the North Dakota Century Code, relating to powers of the department of human services regarding requests for criminal history record checks made by children's advocacy centers; and to declare an emergency.

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

**SECTION 1.** A new subdivision to subsection 2 of section 12-60-24 of the North Dakota Century Code is created and enacted as follows:

The department of human services for a criminal history record check for a children's advocacy center as authorized under section 50-25.1-11.1.

**SECTION 2. AMENDMENT.** Section 50-25.1-11.1 of the North Dakota Century Code is amended and reenacted as follows:

**50-25.1-11.1. Confidentiality of children's advocacy center centers - Confidentiality of records - Criminal history record checks.**

1. Records and digital media in the possession of a children's advocacy center relating to a forensic medical examination, forensic interview, or therapy are confidential and may be released only to a person other than a law enforcement agency, the department or the department's authorized agent, or a medical or mental health professional when the child comes before the medical or mental health professional in that person's professional capacity, upon service of a subpoena signed by a judge.
2. Upon receipt of a request by a children's advocacy center, the department may submit a request for a criminal history record check under section 12-60-24. Under this subsection, a children's advocacy center may require the following individuals to submit to a criminal history record check:
  - a. An employee, final applicant for employment, contractor, multidisciplinary team member, or volunteer, who has contact with a child at or through a children's advocacy center; and
  - b. An individual a children's advocacy center determines requires a criminal history record check to participate in services at a center.

**SECTION 3. EMERGENCY.** This Act is declared to be an emergency measure.

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-seventh Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2131 and that two-thirds of the members-elect of the Senate voted in favor of said law.

Vote:        Yeas 38                      Nays 9                      Absent 0

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Secretary of the Senate

This certifies that two-thirds of the members-elect of the House of Representatives voted in favor of said law.

Vote:        Yeas 85                      Nays 7                      Absent 2

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
Chief Clerk of the House

Received by the Governor at \_\_\_\_\_ M. on \_\_\_\_\_, 2021.

Approved at \_\_\_\_\_ M. on \_\_\_\_\_, 2021.

\_\_\_\_\_  
Governor

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 2021,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State