

**Sixty-ninth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 7, 2025**

SENATE BILL NO. 2173
(Senators Lee, Cleary, Larson)
(Representatives Beltz, Ista, Jonas)

AN ACT to amend and reenact subsection 10 of section 50-25.1-02 and section 50-25.1-11.1 of the North Dakota Century Code, relating to the definition of a children's advocacy center and the confidentiality of communications and records in the possession of a children's advocacy center.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subsection 10 of section 50-25.1-02 of the North Dakota Century Code is amended and reenacted as follows:

10. "Children's advocacy center" means ~~a full~~ an accredited or associate member of the national children's alliance which assists in the coordination of the investigation in response to allegations of child abuse by providing a dedicated child-friendly location at which to conduct forensic interviews, forensic medical examinations, and other appropriate services and which promotes a comprehensive multidisciplinary team response to allegations of child abuse. The team response may include forensic interviews, forensic medical examinations, mental health and related support services, advocacy, and case review.

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. Children's advocacy 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, advocacy, or therapy are confidential and only may be released ~~only~~ to a person other than a law enforcement agency, the department or the department's authorized agent, a prosecutor, a court, another children's advocacy center, 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. The staff of a children's advocacy center may communicate with a law enforcement agency, the department or the department's authorized agent, a prosecutor, a court, another children's advocacy center, or a medical or mental health professional in that individual's official capacity, for the purpose of discussing a forensic medical examination, forensic interview, advocacy, or therapy.
3. The department may submit a request for a criminal history record check under section 12-60-24 on a board member, an employee, a final applicant for employment of a children's advocacy center, a contractor, or a volunteer of a children's advocacy center who has contact with a child at or through a children's advocacy center.
- ~~3.4.~~ As used in this section, "board member" means an individual serving on the board of a children's advocacy center.

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-ninth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2173.

Senate Vote: Yeas 46 Nays 0 Absent 1

House Vote: Yeas 89 Nays 0 Absent 5

Secretary of the Senate

Received by the Governor at _____ M. on _____, 2025.

Approved at _____ M. on _____, 2025.

Governor

Filed in this office this _____ day of _____, 2025,

at _____ o'clock _____ M.

Secretary of State