

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

SENATE BILL NO. 2387
(Senators Van Oosting, Myrdal, Paulson)
(Representatives Hoverson, Richter, O'Brien)

AN ACT to create and enact a new section to chapter 12.1-34 of the North Dakota Century Code, relating to the rights of sexual violence survivors.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 12.1-34 of the North Dakota Century Code is created and enacted as follows:

Sexual violence survivor rights.

1. As used in this section:
 - a. "Sexual assault victim advocate" means a victim advocate of a domestic violence sexual assault organization as defined under section 14-07.1-01, or a victim advocate from a children's advocacy center as defined in section 50-25.1-02.
 - b. "Sexual violence survivor" means an individual who is a victim of a crime defined under section 12.1-20-03, 12.1-20-03.1, 12.1-20-04, 12.1-20-05, 12.1-20-05.1, 12.1-20-06, 12.1-20-06.1, 12.1-20-07, 12.1-20-11, or 12.1-20-12.3.
2. In addition to the rights provided under section 12.1-34-02, a sexual violence survivor must be afforded the following rights.
 - a. The right to consult with a sexual assault victim advocate during any forensic medical examination, unless the advocate is not available in a timely manner. A survivor's:
 - (1) Communication with a sexual assault victim advocate is privileged, unless waived by the survivor; and
 - (2) Waiver of the right to a sexual assault victim advocate is privileged.
 - b. The right to the presence of privately retained counsel when speaking with law enforcement regarding the alleged assault, unless law enforcement is conducting a forensic interview with an alleged child victim.
 - c. Except as provided by law, the right to access the law enforcement report prepared for the survivor's case at no cost.
 - d. The right to a document prepared by the attorney general explaining the rights of sexual violence survivors under this section and other relevant law, which must be provided by a medical provider or law enforcement officer upon initial contact with the survivor.

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. 2387.

Senate Vote: Yeas 47 Nays 0 Absent 0

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