

Sixty-ninth  
Legislative Assembly  
of North Dakota

## PROPOSED AMENDMENTS TO

### HOUSE BILL NO. 1542

Introduced by

Representatives Hendrix, Heilman, Heinert, Marschall, Murphy, Novak, Schreiber-Beck

Senators Cory, Wobbema

1 A BILL for an Act to create and enact a new section to chapter 44-04 of the North Dakota  
2 Century Code, relating to ~~the confidentiality of~~ designating student applications for admission to  
3 an institution of higher education as exempt records; and to declare an emergency.

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

5 **SECTION 1.** A new section to chapter 44-04 of the North Dakota Century Code is created  
6 and enacted as follows:

7 **Admissions applications to institutions of higher education - ConfidentialExempt.**

8 A record related to an individual's application for admission to an institution of higher  
9 education under the administration of the state board of higher education is ~~confidential~~ exempt  
10 except as otherwise provided by law. ~~The~~ Subject to the one-year retention requirements under  
11 section 15-10-44, the record, ~~including a record that has been disclosed under this chapter,~~  
12 must be destroyed upon request of the applicant or the parent or guardian of an applicant who  
13 was under eighteen years of age at the time the application was submitted. An individual may  
14 not ~~possess access or disclose an exempt~~ record ~~that is confidential~~ under this section for a  
15 reason other than carrying out regular duties as an employee of an institution of higher  
16 education, except as otherwise provided under this chapter.

17 **SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure.

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Senators Cory, Wobbema

1 A BILL for an Act to create and enact a new section to chapter 44-04 of the North Dakota  
2 Century Code, relating to the confidentiality of student applications for admission to an  
3 institution of higher education; and to declare an emergency.

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

5 **SECTION 1.** A new section to chapter 44-04 of the North Dakota Century Code is created  
6 and enacted as follows:

7 **Admissions applications to institutions of higher education – Confidential Exempt.**

8 A record related to an individual's application for admission prior to attendance at an  
institution of higher under the ~~administration control~~ of the state board of higher education is  
~~confidential~~ exempt under chapter 44-04-18, except as otherwise provided by law. ~~The~~  
~~record, including a record that has been disclosed under this chapter. An individual's~~  
~~application for admission to an institution~~ must be destroyed upon request of the applicant or  
the parent or guardian of an applicant who is under eighteen years of age ~~at the time the~~  
~~application was submitted. A request to destroy an application for admission must be made prior to~~  
~~attendance at the institution.~~ An individual may not ~~possess access or re-disclose~~ a record that is  
~~confidential~~ exempt under this section for a reason other than carrying out regular duties as  
an employee of an institution of higher education.

9 **SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure.