

Fifty-fifth
Legislative Assembly
of North Dakota

SENATE BILL NO. 2284

Introduced by

Senators Mutzenberger, Heitkamp, LaFountain

Representatives Aarsvold, Boucher, Oban

1 A BILL for an Act to amend and reenact section 65-04-15 of the North Dakota Century Code,
2 relating to confidentiality of workers' compensation employers' reports.

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

4 **SECTION 1. AMENDMENT.** Section 65-04-15 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **65-04-15. Information in employer's reports confidential - Penalty if employee of**
7 **bureau divulges information.** The information contained in an employer's report is for the
8 exclusive use and information of the bureau in the discharge of its official duties and is not open
9 to the public nor usable in any court in any action or proceeding pending therein unless the
10 bureau is a party thereto. The information contained in an employer's report may be provided
11 to a federal or state law enforcement agency pursuant to a lawful order of a court upon a
12 showing of necessity and prior notice to the bureau of an application for the order. The
13 information contained in the report, however, may be tabulated and published by the bureau in
14 statistical form for the use and information of the state departments and of the public. Upon
15 request, the bureau shall disclose to a requester the rate classification of an employer ~~to the~~
16 ~~requester~~, the number of employees in each classification, the amount of the premium paid for
17 each employee, and the expiration date of the premium paid by an employer; however, the
18 bureau may not disclose ~~any information that would reveal~~ the amount of payroll upon which
19 that employer's premium is being paid or the amount of premium the employer is paying.
20 Anyone who is convicted under section 12.1-13-01 is disqualified from holding any office or
21 employment with the bureau.

22 The bureau may, upon request of the state tax commissioner or the secretary of state,
23 furnish to them a list or lists of employers showing only the names, addresses, and bureau file
24 identification numbers of such employers as those files relate to this chapter; provided, that any

1 such list so furnished must be used by the tax commissioner or the secretary of state only for
2 the purpose of administering their duties. The bureau may provide the commissioner of labor or
3 job service North Dakota with information obtained pursuant to the administration of this title.
4 Any information so provided must be used only for the purpose of administering the duties of
5 the commissioner of labor or job service North Dakota. Whenever the bureau obtains
6 information on activities of a contractor doing business in this state of which officials of the
7 secretary of state, job service North Dakota, or tax commissioner may be unaware and that
8 may be relevant to the duties of those officials, the bureau shall provide any relevant
9 information to those officials for the purpose of administering their duties. The bureau may
10 provide any state agency or a private entity with a list of names and addresses of employers for
11 the purpose of jointly publishing or distributing publications or other information pursuant to
12 section 54-06-04.3. Any information so provided may only be used for the purpose of jointly
13 publishing or distributing publications or other information as provided in section 54-06-04.3.