

**FIRST ENGROSSMENT
with Senate Amendments**

Fifty-eighth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1320

Introduced by

Representatives Koppelman, Boehning, DeKrey

Senators Bercier, Nelson, Traynor

1 A BILL for an Act to amend and reenact section 11-19.1-11 of the North Dakota Century Code,
2 relating to the confidentiality of photographs and video recordings.

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

4 **SECTION 1. AMENDMENT.** Section 11-19.1-11 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **11-19.1-11. Coroner may perform autopsy - Notice of results - Confidentiality of**
7 **photographs and video recordings.** The coroner or the coroner's medical deputy, if the
8 coroner deems it necessary, may take custody of the dead body for the purpose of autopsy.
9 When the coroner does not deem an autopsy necessary, the sheriff and state's attorney may
10 direct an autopsy be performed. Upon the death of a child whose cause of death is suspected
11 by the child's parent or guardian or the coroner or the coroner's medical deputy to have been
12 the sudden infant death syndrome, the coroner or the coroner's medical deputy, after
13 consultation with the parent or guardian, shall take custody of the dead body and shall arrange
14 for the performance of the autopsy by a qualified pathologist, unless the county coroner, sheriff,
15 state's attorney, and the parent or guardian all agree that an autopsy is unnecessary. The
16 parents or guardian and the state health officer shall be promptly notified of the results of that
17 autopsy. Photographs or video recordings of an autopsy are confidential and may only be
18 provided to the decedent's immediate family, a medical school for use for educational
19 purposes, law enforcement agencies, or pursuant to a court order. For purposes of this
20 section, "immediate family" means the decedent's spouse, parent, child, or sibling.