

**HOUSE BILL NO. 1156**

Introduced by

Representatives Klemin, Porter

Senators Lyson, Olafson

1 A BILL for an Act to amend and reenact sections 57-40.6-06 and 57-40.6-07 and subdivision a  
2 of subsection 1 of section 57-40.6-10 of the North Dakota Century Code, relating to the  
3 confidentiality of emergency services communication systems and to emergency services  
4 communication system coordinators; and to provide a penalty.

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

6 **SECTION 1. AMENDMENT.** Section 57-40.6-06 of the North Dakota Century Code is  
7 amended and reenacted as follows:

8 **57-40.6-06. Data base.**

9 Any telephone exchange access service provider providing emergency 911 service shall  
10 provide current customer names, addresses, and telephone numbers to each ~~911~~emergency  
11 services communication system coordinator, the coordinator's designee, or public safety  
12 answering point within each 911 system. Information provided under this section must be  
13 provided in accordance with the transactional record disclosure requirements of the federal  
14 Electronics Communications Privacy Act of 1986, 18 U.S.C. 2703(c)(1)(B)(iii), and in a manner  
15 that identifies the names and telephone numbers that are unpublished. The provider shall report  
16 data base information regarding new service or a change of service within two business days of  
17 the actual service change unless a longer period is permitted by the jurisdiction. The provider  
18 shall report data base information regarding dropped service at least monthly.

19 **SECTION 2. AMENDMENT.** Section 57-40.6-07 of the North Dakota Century Code is  
20 amended and reenacted as follows:

21 **57-40.6-07. Use of the furnished information.**

22 1. Unpublished names and telephone numbers generated by a ~~911~~an emergency  
23 services communication system coordinator or ~~911~~a public safety answering point or  
24 provided to a ~~911~~an emergency services communication system coordinator or public

1 safety answering point under section 57-40.6-06 are confidential and may be used  
2 only for verifying the location or identity, or both, for response purposes, of a person  
3 calling a 911 public safety answering point for emergency help or by the 911 emergency  
4 services communication system coordinator or public safety answering point for the  
5 purpose of a public safety agency notifying a person of an emergency.

6 2. Published names and telephone numbers maintained by a 911 an emergency services  
7 communication system coordinator or public safety answering point are exempt  
8 records as defined in section 44-04-17.1 but must be provided upon request to the  
9 treasurer and auditor of the county served by the 911 coordinator public safety  
10 answering point for the purpose of verifying and correcting names and addresses used  
11 for official purposes.

12 3. A record obtained by a public safety answering point for the purpose of providing  
13 services in an emergency and which reveals personal information or the identity,  
14 address, or telephone number of a person requesting emergency service or reporting  
15 an emergency by accessing an emergency telephone number 911 system is exempt  
16 from section 44-04-18 and may be redacted from the record before it is released.

17 4. An audio recording of a request for emergency services or of a report of an  
18 emergency, or a written transcript of such an audio recording, is an exempt record as  
19 defined in section 44-04-17.1 and may be used only for public safety purposes and for  
20 the delivery of law enforcement, fire, medical, or other emergency services. Except as  
21 otherwise provided in this subsection, an audio recording of a request for emergency  
22 services or of a report of an emergency may not be released to any person other than  
23 the person that made the request or report without the written consent of that person.

24 **SECTION 3. AMENDMENT.** Subdivision a of subsection 1 of section 57-40.6-10 of the  
25 North Dakota Century Code is amended and reenacted as follows:

26 a. Designate a 911 an emergency services communication system coordinator.