

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15 that identifies the names and telephone numbers that are unpublished.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 Unpublished names and telephone numbers generated by a ~~911~~an emergency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 911public safety answering point for emergency help or by the 911emergency
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 911an 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 However, upon request, a person may listen to the audio recording, but may not copy
25 or record the audio. A person also may request a written transcript of the audio
26 recording, which must be provided to the person within a reasonable time.

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

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