

HOUSE BILL NO. 1338

Introduced by

Representatives Thoreson, Muscha, Seibel

Senators J. Lee, Nelson, Poolman

1 | A BILL for an Act to amend and reenact subsections 3 and 4 of section 14-07.1-20 of ~~of~~ the
2 | North Dakota Century Code, relating to required disclosure of records to the domestic violence
3 | fatality review commission.

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

5 | **SECTION 1. AMENDMENT.** Subsections 3 and 4 of section 14-07.1-20 of the North Dakota
6 | Century Code are amended and reenacted as follows:

7 | 3. The commission may investigate and review the facts and circumstances of all deaths
8 | that occur in the state as a result of domestic violence.

9 | a. The review may include necessary and appropriate information, including current
10 | laws and policies, actions taken by agencies and persons related to or involved
11 | with the incident, criminal justice data collection and analysis, and other
12 | information the commission determines to be relevant to the review.

13 | b. The confidential and other appropriate records of a department or agency of the
14 | state, county, or municipality relating to the domestic violence incident may be
15 | examined by the commission. Upon request or investigative demand from a
16 | representative of the commission, any hospital, physician, medical professional,
17 | medical facility, mental health professional, or mental health facility shall disclose
18 | all records of that person with respect to any death that has occurred as a result
19 | of domestic violence, as determined by the commission. The domestic violence
20 | fatality review commission and each member of the commission shall preserve
21 | the confidentiality of any records examined.

22 | 4. The domestic violence fatality review commission shall report its findings and
23 | recommendations from the previous calendar year to the attorney general before
24 | ~~December~~March thirty-first of each year.