

Introduced by

Senators Lee, Dwyer, Hogan

Representatives Dobervich, Klemin, Roers Jones

1 A BILL for an Act to amend and reenact section 23-02.1-28 of the North Dakota Century Code,
2 relating to access to vital record data.

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

4 **SECTION 1. AMENDMENT.** Section 23-02.1-28 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **23-02.1-28. Copies of data from vital records.**

7 In accordance with section 23-02.1-27 and ~~the regulations adopted pursuant thereto~~rules
8 adopted under section 23-02.1-27:

- 9 1. The state registrar ~~shall~~, upon request of a person entitled to a copy under section
10 23-02.1-27, shall issue a certified copy of any record or part of a record in the
11 registrar's custody. Each copy issued must show the date of registration; and copies
12 issued from records marked "delayed", "amended", or "court order" must be similarly
13 marked and show the effective date of filing.
- 14 2. A certified copy of a record or any part of the record issued in accordance with
15 subsection 1 must be considered evidence of the facts stated in the record, provided
16 that the evidentiary value of a record filed more than one year after the event, or a
17 record ~~which~~that has been amended, must be determined by the judicial or
18 administrative body or official before ~~whom~~which the record is offered as evidence.
- 19 3. ~~Data~~Upon request, the state registrar shall provide data or copies ~~may be furnished~~
20 for statistical purposes to federal, state, local, or other public or private agencies,
21 including the federal agency responsible for national vital statistics, upon such terms
22 and conditions ~~as may be prescribed by the state department of health through rules~~
23 ~~and regulations established through rules~~ adopted pursuant to this chapter. As used in

1 this subsection, data includes data that has not been finalized which the state registrar
2 shall designate as "preliminary".

3 4. ~~No~~A person may not prepare or issue ~~any~~a certificate or record ~~which~~that purports to
4 be an original, certified copy, or copy of a certificate or record of birth, death, or fetal
5 death, except as provided in this chapter, or ~~regulations~~rules adopted under this
6 chapter.

7 5. A certified copy may not disclose an individual's social security number unless the
8 copy is being provided to the individual to whom ~~it~~the copy pertains, a relative or
9 authorized representative, or by order of a court of competent jurisdiction.