

HOUSE BILL NO. 1481

Introduced by

Representative Dobervich

1 A BILL for an Act to create and enact a new subsection to section 44-04-18.7 of the North
2 Dakota Century Code, relating to exempt records of coroners and medical examiners; and to
3 amend and reenact subsection 2 of section 23-02.1-27 and subdivision a of subsection 2 of
4 section 44-04-18.18 of the North Dakota Century Code, relating to access to death records and
5 training of coroner and medical personnel.

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

7 **SECTION 1. AMENDMENT.** Subsection 2 of section 23-02.1-27 of the North Dakota
8 Century Code is amended and reenacted as follows:

9 2. A certified copy of a complete death record may be issued to a relative, an authorized
10 representative, the child fatality review board, a licensed physician, or a genetic sibling
11 for the purposes of researching family medical history; a funeral director, coroner,
12 medical examiner, or state forensic examiner reporting the facts of death, ~~or~~; a person
13 with personal or real property interests that depend upon information contained in the
14 complete death record; or by the order of a court of competent jurisdiction, and may
15 include the cause of death and the social security number. A certified copy of the facts
16 of death record that includes the facts of death and the social security number may be
17 issued to any person that may obtain a certified copy of a complete death record or to
18 any licensed attorney who requires the copy for a bona fide legal determination. A
19 certified copy of an informational death record may be issued to the general public, but
20 the copy may not contain the cause of death or the social security number.

21 **SECTION 2.** A new subsection to section 44-04-18.7 of the North Dakota Century Code is
22 created and enacted as follows:

23 An image taken by a coroner, a medical examiner, or coroner or medical examiner
24 personnel, using a digital camera or similar device is an exempt record.

1 **SECTION 3. AMENDMENT.** Subdivision a of subsection 2 of section 44-04-18.18 of the
2 North Dakota Century Code is amended and reenacted as follows:

3 a. After redacting all information identifying the decedent, including name, address,
4 and social security number, and anonymizing facial recognition, a medical
5 examiner, coroner, or physician may use an autopsy photograph, image, or
6 recording for:

- 7 (1) Medical or scientific teaching or training purposes;
- 8 (2) Teaching or training of law enforcement personnel;
- 9 (3) Teaching or training of attorneys or others with a bona fide professional
10 need to use or understand forensic science;
- 11 (4) Conferring with medical or scientific experts; ~~or~~
- 12 (5) Publication in a scientific or medical journal or textbook; or
- 13 (6) Teaching or training of coroner personnel or other licensed or certified
14 medical professionals.