

**Sixty-eighth Legislative Assembly of North Dakota  
In Regular Session Commencing Tuesday, January 3, 2023**

HOUSE BILL NO. 1481  
(Representative Dobervich)

AN ACT to create and enact a new subsection to section 44-04-18.7 of the North Dakota Century Code, relating to exempt records of coroners and medical examiners; and to amend and reenact subsection 2 of section 23-02.1-27 and subdivision a of subsection 2 of section 44-04-18.18 of the North Dakota Century Code, relating to access to death records and training of coroner and medical personnel.

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

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

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

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

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

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

- a. After redacting all information identifying the decedent, including name, address, and social security number, and anonymizing facial recognition, a medical examiner, coroner, or physician may use an autopsy photograph, image, or recording for:
  - (1) Medical or scientific teaching or training purposes;
  - (2) Teaching or training of law enforcement personnel;
  - (3) Teaching or training of attorneys or others with a bona fide professional need to use or understand forensic science;
  - (4) Conferring with medical or scientific experts; ~~or~~
  - (5) Publication in a scientific or medical journal or textbook; or
  - (6) Teaching or training of coroner personnel or other licensed or certified medical professionals.

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Speaker of the House

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President of the Senate

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Chief Clerk of the House

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Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-eighth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1481.

House Vote:      Yeas 88              Nays 6              Absent 0

Senate Vote:      Yeas 44              Nays 1              Absent 2

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Chief Clerk of the House

Received by the Governor at \_\_\_\_\_ M. on \_\_\_\_\_, 2023.

Approved at \_\_\_\_\_ M. on \_\_\_\_\_, 2023.

\_\_\_\_\_  
Governor

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 2023,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State