

**SENATE BILL NO. 2131**

Introduced by

Senators Myrdal, Larson, Luick

Representatives Cory, Karls, Klemin

1 A BILL for an Act to amend and reenact section 54-12-24 of the North Dakota Century Code,  
2 relating to the state crime laboratory; and to declare an emergency.

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

4 **SECTION 1. AMENDMENT.** Section 54-12-24 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **54-12-24. State crime laboratory division.**

- 7 1. A state crime laboratory is created as a division of the office of the attorney general.  
8 This division consists of a director, the state toxicologist, and ~~such~~ other personnel as  
9 ~~may be appointed by~~ the attorney general deems necessary. The state crime  
10 laboratory may establish and charge fees for services rendered. ~~The state crime-~~  
11 ~~laboratory must be administratively separated from the bureau of criminal-~~  
12 ~~investigation. The director serves at the pleasure of the attorney general and is entitled~~  
13 ~~to receive a salary set by the attorney general within the limits of legislative-~~  
14 ~~appropriation.~~
- 15 2. The state crime laboratory shall employ the services of a qualified toxicologist who  
16 must be the state toxicologist. ~~The attorney general shall appoint the state toxicologist.~~  
17 ~~The attorney general may appoint such qualified deputy state toxicologists as may be~~  
18 ~~necessary to exercise the authority and responsibility prescribed by law for the state-~~  
19 ~~toxicologist.~~ The results of toxicological or chemical testing or analysis, other than  
20 provided for in section 39-20-13, made by the state toxicologist at the request of law  
21 enforcement agencies for criminal investigation may not be disclosed directly or  
22 indirectly by the state toxicologist or any agent or employee of the attorney general to  
23 anyone other than the person or agency requesting the test or analysis or to any other  
24 person upon whom the toxicological or chemical test was performed or the person's

1 authorized representative, except the state toxicologist may permit the inspection of  
2 the reports of any ~~such~~ test or analysis results by any other person having a proper  
3 interest ~~therein~~ in the reports as determined by the director of the state crime  
4 laboratory.

5 3. Upon the request of the state forensic examiner, any state's attorney, sheriff, chief of  
6 police, coroner, or other local, state, or federal law enforcement official, the attorney  
7 general may make available to the requesting official the state crime laboratory's  
8 facilities and personnel to assist in the investigation or detection of crimes and the  
9 apprehension or prosecution of criminals.

10 **SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure.