

Introduced by

Judiciary Committee

(At the request of the Supreme Court)

1 A BILL for an Act to amend and reenact subsection 1 of section 27-20.2-23 of the North Dakota
2 Century Code, relating to release of juvenile records.

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

4 **SECTION 1. AMENDMENT.** Subsection 1 of section 27-20.2-23 of the North Dakota
5 Century Code is amended and reenacted as follows:

- 6 1. Unless a charge of delinquency is transferred for criminal prosecution under section
7 ~~27-20.4-2027-20.4-21~~, the interest of national security requires, or the court otherwise
8 orders in the interest of the child, the law enforcement and correctional facility records
9 and files of a child alleged or found to be delinquent or in need of services or
10 protection are not open to public inspection; but inspection of these records and files is
11 permitted by:
- 12 a. A juvenile court having the child before the court in any proceeding;
 - 13 b. Counsel for a party to the proceeding;
 - 14 c. The officers of public institutions or agencies to whom the child is or may be
15 committed;
 - 16 d. Law enforcement officers of other jurisdictions if necessary for the discharge of
17 official duties of the officers;
 - 18 e. A court in which the child is convicted of a criminal offense for the purpose of a
19 presentence report or other dispositional proceeding, or by officials of correctional
20 facilities to which the child is detained or committed, or by the parole board, the
21 governor, or the pardon advisory board, if one has been appointed, in considering
22 the child's parole or discharge or in exercising supervision over the child;

Sixty-ninth
Legislative Assembly

- 1 f. The professional staff of the uniform crime victims compensation program if
- 2 necessary for the discharge of the duties of the professional staff pursuant to
- 3 chapter 54-23.4; and
- 4 g. A superintendent, assistant superintendent, principal, or designee of the school in
- 5 which the child is currently enrolled or of a school in which the child wishes to
- 6 enroll.