

HOUSE BILL NO. 1116

Introduced by

Judiciary Committee

(At the request of the Department of Corrections and Rehabilitation)

1 A BILL for an Act to create and enact a new subdivision to subsection 4 of section 23-01-05.5 of
2 the North Dakota Century Code, relating to the disclosure of an autopsy report; and to amend
3 and reenact subsection 4 of section 11-19.1-11 of the North Dakota Century Code, relating to
4 authorizing the coroner and the state forensic examiner to disclose autopsy reports to the
5 department of corrections and rehabilitation.

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

7 **SECTION 1. AMENDMENT.** Subsection 4 of section 11-19.1-11 of the North Dakota
8 Century Code is amended and reenacted as follows:

9 4. A report of death, an autopsy report, and any working papers, notes, images, pictures,
10 photographs, or recordings in any form are confidential but the coroner may use or
11 disclose these materials for purposes of an investigation, inquest, ~~or~~ prosecution, or
12 inspection by the department of corrections and rehabilitation. The coroner may
13 disclose a copy of the report of death in accordance with the authority of the state
14 forensic examiner under section 23-01-05.5 and may disclose an autopsy photograph
15 or other visual image or video or audio recording subject to limitations in section
16 44-04-18.18. The coroner shall disclose a copy of the autopsy report to the state
17 forensic examiner.

18 **SECTION 2.** A new subdivision to subsection 4 of section 23-01-05.5 of the North Dakota
19 Century Code is created and enacted as follows:

20 To the department of corrections and rehabilitation if the decedent was an inmate
21 in a county, regional, or state correctional facility.