

HOUSE BILL NO. 1368

Introduced by

Representatives Cleary, Ekstrom, Meier

Senators Every, T. Mathern

1 A BILL for an Act to amend and reenact section 65-04-15 of the North Dakota Century Code,
2 relating to confidentiality of information in an employer's workers' compensation reports.

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

4 **SECTION 1. AMENDMENT.** Section 65-04-15 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **65-04-15. Information in employer's reports confidential - Penalty if employee of**
7 **bureau divulges information.** The information contained in an employer's report is for the
8 exclusive use and information of the bureau in the discharge of ~~its~~ the bureau's official duties
9 and is not open to the public nor usable in any pending court ~~in any~~ action or proceeding
10 ~~pending therein~~ unless the bureau is a party ~~thereto~~ to the action or proceeding. The
11 information contained in an employer's report may be provided to a federal or state law
12 enforcement agency pursuant to a lawful order of a court upon a showing of necessity and prior
13 notice to the bureau of an application for the order. The information contained in the report;
14 ~~however,~~ may be tabulated and published by the bureau in statistical form for the use and
15 information of ~~the any state departments~~ department and of the public. ~~Upon request, the~~ The
16 bureau shall ~~disclose~~ make available to the public the rate classification of an employer ~~to the~~
17 ~~requester,~~ the number of employees in each classification, and the expiration date of the
18 premium paid by an employer; however, the bureau may not disclose ~~any information that~~
19 ~~would reveal~~ the amount of payroll upon which that employer's premium is ~~being~~ paid or the
20 amount of premium the employer is paying. Anyone ~~who is~~ convicted under section 12.1-13-01
21 is disqualified from holding any office or employment with the bureau.

22 The bureau ~~may,~~ upon request of the state tax commissioner or ~~the~~ secretary of state,
23 may furnish to ~~them~~ the state tax commissioner or secretary of state a list or lists of employers
24 showing only the names, addresses, and bureau file identification numbers of ~~such~~ the

1 employers as those files relate to this chapter; provided, that any ~~such~~ list ~~so~~ furnished must be
2 used by the tax commissioner or ~~the~~ secretary of state only for the purpose of administering
3 their duties. The bureau may provide the commissioner of labor or job service North Dakota
4 with information obtained pursuant to the administration of this title. Any information ~~so~~
5 provided in administering this title must be used only for the purpose of administering the
6 duties of the commissioner of labor or job service North Dakota. ~~Whenever~~ If the bureau
7 obtains information on activities of a contractor doing business in this state of which officials of
8 the secretary of state, job service North Dakota, or tax commissioner may be unaware and that
9 may be relevant to the duties of those officials, the bureau shall provide any relevant
10 information to those officials for the purpose of administering their duties. The bureau may
11 provide any state agency or a private entity with a list of names and addresses of employers for
12 the purpose of jointly publishing or distributing publications or other information pursuant to
13 section 54-06-04.3. ~~Any, and this information so provided~~ may only be used for the purpose of
14 jointly publishing or distributing publications or other information as provided in section
15 54-06-04.3.