

Sixty-fourth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1338

Introduced by

Representatives Thoreson, Muscha, Seibel

Senators J. Lee, Nelson, Poolman

1 A BILL for an Act to amend and reenact subsections 3 and 4 of section 14-07.1-20 of the North
2 Dakota Century Code, relating to required disclosure of records to the domestic violence fatality
3 review commission.

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

5 **SECTION 1. AMENDMENT.** Subsections 3 and 4 of section 14-07.1-20 of the North Dakota
6 Century Code are amended and reenacted as follows:

- 7 3. The commission may investigate and review the facts and circumstances of all deaths
8 that occur in the state as a result of domestic violence.
- 9 a. The review may include necessary and appropriate information, including current
10 laws and policies, actions taken by agencies and persons related to or involved
11 with the incident, criminal justice data collection and analysis, and other
12 information the commission determines to be relevant to the review.
- 13 b. The confidential and other appropriate records of a department or agency of the
14 state, county, or municipality relating to the domestic violence incident may be
15 examined by the commission. Upon request or investigative demand from a
16 representative of the commission, any hospital, physician, medical professional,
17 medical facility, mental health professional, or mental health facility shall disclose
18 all records of that person with respect to any death that has occurred as a result
19 of domestic violence, as determined by the commission. The domestic violence
20 fatality review commission and each member of the commission shall preserve
21 the confidentiality of any records examined.
- 22 4. The domestic violence fatality review commission shall report its findings and
23 recommendations from the previous calendar year to the attorney general before
24 ~~December~~March thirty-first of each year.