

**HOUSE BILL NO. 1296**

Introduced by

Representatives Roers Jones, Boschee, Lefor, Mock, Pyle

Senators Dwyer, Lee, Oban, K. Roers

1 A BILL for an Act to create and enact a new section to chapter 12-44.1 of the North Dakota  
2 Century Code, relating to the confidentiality of booking photos.

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

4 **SECTION 1.** A new section to chapter 12-44.1 of the North Dakota Century Code is created  
5 and enacted as follows:

6 **Prohibition - Booking photo - Confidential.**

- 7 1. Unless there is a compelling public safety interest warranting release, the booking  
8 photo of an inmate is a confidential record until the inmate:  
9 a. Fails to appear for court;  
10 b. Is a fugitive from justice; or  
11 c. Is convicted of the offense for which the inmate was arrested or an offense  
12 related to the offense for which the inmate was arrested.  
13 2. This section does not prohibit the dissemination of booking photos among law  
14 enforcement agencies or officers.