

**Sixty-sixth Legislative Assembly of North Dakota  
In Regular Session Commencing Thursday, January 3, 2019**

SENATE BILL NO. 2221  
(Senators J. Lee, Kreun, Mathern)  
(Representatives Roers Jones, Schatz)

AN ACT to amend and reenact section 44-04-18.6 of the North Dakota Century Code, relating to exempting records of communications between legislators and public employees from open records laws.

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

**SECTION 1. AMENDMENT.** Section 44-04-18.6 of the North Dakota Century Code is amended and reenacted as follows:

**44-04-18.6. Access to legislative records and information.**

1. The following records, regardless of form or characteristic, of or relating to the legislative council, the legislative management, the legislative assembly, the house of representatives, the senate, or a member of the legislative assembly are not subject to section 44-04-18 and section 6 of article XI of the Constitution of North Dakota: a
  - a. A record of a purely personal or private nature;~~;~~<sub>i</sub>
  - b. A record that is legislative council work product or is legislative council-client communication;~~;~~<sub>i</sub>
  - c. A record that reveals the content of private communications between a member of the legislative assembly and any person;<sub>i</sub> and,~~except~~
  - d. Except with respect to a governmental entity determining the proper use of telephone service, a record of telephone usage which identifies the parties or lists the telephone numbers of the parties involved.
2. The exception in subdivision c of subsection 1 applies to records possessed by a member of the legislative assembly or by any other public officer or employee.
3. This section does not apply to any record distributed at a meeting subject to section 44-04-19 and section 5 of article XI of the Constitution of North Dakota.

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
Secretary of the Senate

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Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-sixth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2221.

Senate Vote:    Yeas 37            Nays 10            Absent 0

House Vote:    Yeas 82            Nays 5            Absent 7

\_\_\_\_\_  
Secretary of the Senate

Received by the Governor at \_\_\_\_\_ M. on \_\_\_\_\_, 2019.

Approved at \_\_\_\_\_ M. on \_\_\_\_\_, 2019.

\_\_\_\_\_  
Governor

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 2019,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State