

Introduced by

Senators Bekkedahl, Laffen, D. Larson

Representatives Hatlestad, Howe, Sukut

1 A BILL for an Act to amend and reenact subsection 2 of section 23-01-05.5 of the North Dakota
2 Century Code, relating to providing notification of the report of death to the next of kin of the
3 deceased.

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

5 **SECTION 1. AMENDMENT.** Subsection 2 of section 23-01-05.5 of the North Dakota
6 Century Code is amended and reenacted as follows:

7 2. An autopsy report and any working papers and notes relating to an autopsy report are
8 confidential and may be disclosed only as permitted by this section. The report of
9 death is a public record subject to disclosure under section 44-04-18. However, the
10 state forensic examiner or the examiner's designee, a county coroner, or a pathologist
11 who performed an autopsy ordered by the county coroner or state forensic examiner
12 shall notify immediately the decedent's next of kin of the report of death. The
13 notification may be made through any appropriate means, and a record of the
14 notification must be made. The notification must precede any public disclosure of the
15 report of death unless three or more documented attempts to notify the next of kin
16 over a seventy-two hour period have been unsuccessful, in which case the report of
17 death may be disclosed as permitted by law.