

**FIRST ENGROSSMENT  
with House Amendments  
ENGROSSED SENATE BILL NO. 2264**

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 or  
3 authorized representative of the 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 as follows:

- 10 a. The next of kin or authorized representative requesting the autopsy results is  
11 responsible for providing to the state forensic examiner or the examiner's  
12 designee satisfactory proof of relationship to the deceased and contact  
13 information for notification of the autopsy results.
- 14 b. When in receipt of the information in subdivision a, the state forensic examiner,  
15 examiner's designee, county coroner, or pathologist who performed the autopsy  
16 shall make a good faith effort to immediately notify the decedent's next of kin or  
17 authorized representative of the availability of the report of death. The notification  
18 or attempts to notify the next of kin or authorized representative must be  
19 recorded and must precede any public disclosure of the report of death.
- 20 c. The report of death becomes a public record four days following the notification  
21 of or attempts to notify the next of kin or authorized representative, whether  
22 verbal or written. If no next of kin or authorized representative can be found, the  
23 report of death may be disclosed.