

**Sixty-ninth Legislative Assembly of North Dakota  
In Regular Session Commencing Tuesday, January 7, 2025**

SENATE BILL NO. 2387  
(Senators Van Oosting, Myrdal, Paulson)  
(Representatives Hoverson, Richter, O'Brien)

AN ACT to create and enact a new section to chapter 12.1-34 of the North Dakota Century Code, relating to the rights of sexual violence survivors.

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

**SECTION 1.** A new section to chapter 12.1-34 of the North Dakota Century Code is created and enacted as follows:

**Sexual violence survivor rights.**

1. As used in this section:
  - a. "Sexual assault victim advocate" means a victim advocate of a domestic violence sexual assault organization as defined under section 14-07.1-01, or a victim advocate from a children's advocacy center as defined in section 50-25.1-02.
  - b. "Sexual violence survivor" means an individual who is a victim of a crime defined under section 12.1-20-03, 12.1-20-03.1, 12.1-20-04, 12.1-20-05, 12.1-20-05.1, 12.1-20-06, 12.1-20-06.1, 12.1-20-07, 12.1-20-11, or 12.1-20-12.3.
2. In addition to the rights provided under section 12.1-34-02, a sexual violence survivor must be afforded the following rights.
  - a. The right to consult with a sexual assault victim advocate during any forensic medical examination, unless the advocate is not available in a timely manner. A survivor's:
    - (1) Communication with a sexual assault victim advocate is privileged, unless waived by the survivor; and
    - (2) Waiver of the right to a sexual assault victim advocate is privileged.
  - b. The right to the presence of privately retained counsel when speaking with law enforcement regarding the alleged assault, unless law enforcement is conducting a forensic interview with an alleged child victim.
  - c. Except as provided by law, the right to access the law enforcement report prepared for the survivor's case at no cost.
  - d. The right to a document prepared by the attorney general explaining the rights of sexual violence survivors under this section and other relevant law, which must be provided by a medical provider or law enforcement officer upon initial contact with the survivor.

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President of the Senate

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Speaker of the House

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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-ninth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2387.

Senate Vote:    Yeas 47            Nays 0            Absent 0

House Vote:    Yeas 89            Nays 0            Absent 5

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Secretary of the Senate

Received by the Governor at \_\_\_\_\_ M. on \_\_\_\_\_, 2025.

Approved at \_\_\_\_\_ M. on \_\_\_\_\_, 2025.

\_\_\_\_\_  
Governor

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 2025,

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

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