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

SENATE BILL NO. 2053
(Senators D. Larson, Schaible, Poolman)
(Representatives Nathe, Owens, Schreiber-Beck)

AN ACT to amend and reenact section 27-20-52 of the North Dakota Century Code, relating to inspection of law enforcement and correctional facility records and files of a child by an assistant superintendent or designee of a school.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 27-20-52 of the North Dakota Century Code is amended and reenacted as follows:

27-20-52. Law enforcement and correctional facility records.

1. Unless a charge of delinquency is transferred for criminal prosecution under section 27-20-34, the interest of national security requires, or the court otherwise orders in the interest of the child, the law enforcement and correctional facility records and files of a child alleged or found to be delinquent, unruly, or deprived are not open to public inspection; but inspection of these records and files is permitted by:

   a. A juvenile court having the child before it in any proceeding;

   b. Counsel for a party to the proceeding;

   c. The officers of public institutions or agencies to whom the child is or may be committed;

   d. Law enforcement officers of other jurisdictions when necessary for the discharge of their official duties;

   e. A court in which the child is convicted of a criminal offense for the purpose of a presentence report or other dispositional proceeding, or by officials of correctional facilities to which the child is detained or committed, or by the parole board, the governor, or the pardon advisory board, if one has been appointed, in considering the child's parole or discharge or in exercising supervision over the child;

   f. The professional staff of the uniform crime victims compensation program when necessary for the discharge of its duties pursuant to chapter 54-23.4; and

   g. A superintendent, assistant superintendent, ~~or~~ principal, or designee of the school in which the child is currently enrolled or of a school in which the child wishes to enroll.

2. Notwithstanding that law enforcement records and files of a child alleged or found to be delinquent, unruly, or deprived are not open to public inspection, this section does not limit the release of general information that does not identify the identity of the child.

President of the Senate

Speaker of the House

Secretary of the Senate

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. 2053.

Senate Vote:	Yeas 46	Nays 1	Absent 0
House Vote:	Yeas 78	Nays 8	Absent 8

Secretary of the Senate

Received by the Governor at 3:52 PM. on March 19, 2019.

Approved at 10:07 PM. on March 21, 2019.

Governor

Filed in this office this 22nd day of March, 2019,

at 10:11 o'clock A. M.

Secretary of State