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:


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 record of a purely personal or private nature;

   b. A record that is legislative council work product or is legislative council-client communication;

   c. A record that reveals the content of private communications between a member of the legislative assembly and any person 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.
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

Received by the Governor at 2:01 PM. on April 22, 2019.
Approved at 2:48 PM on April 24, 2019.

Filed in this office this 24th day of April, 2019, at 3:28 o'clock P. M.