

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1044

Page 1, line 11, remove "not public records subject to section 44-04-18 and section 5"

Page 1, line 12, remove "of article XI of the Constitution of North Dakota and are"

Page 1, line 13, after the first "court" insert ", with service of the application on the department of corrections and rehabilitation and opportunity for the department to submit a written response" and replace "shall" with "may"

Page 1, line 16, after the underscored period insert "If the court issues an order allowing inspection, the court shall allow the department of corrections and rehabilitation to remove all identifying information that may create a risk of harm to property or to any person."

Page 1, line 20, replace "court records not under seal" with "legal files"

Page 1, line 23, after the second underscored comma insert "and"

Page 2, line 1, replace ", and federal witness protection placements where the identity" with an underscored period

Page 2, remove line 2

Page 2, line 6, remove "are not public records"

Page 2, remove line 7

Page 2, line 8, remove "Dakota" and overstrike "must be kept" and insert immediately thereafter "are"

Page 2, line 16, after "confidentiality" insert ", except for the confidentiality requirements of federal drug and alcohol treatment and rehabilitation laws"

Page 2, line 18, after "inspect" insert "case history,"

Page 3, line 6, remove "i. The" and overstrike "state's attorney and" and insert immediately thereafter:

"i. The"

Page 3, line 12, remove "k. Municipal" and overstrike ", county, state, or federal law enforcement agencies" and insert immediately thereafter:

"k. A criminal justice agency as defined in section 44-04-18.7"

Page 3, line 14, replace "For purposes of this section, records" with "Records" and after the third underscored comma insert "legal files except records under court seal,"

Page 3, line 16, replace "not case history, medical" with "open records."

Page 3, remove line 17

Page 3, line 30, remove "8." and overstrike "The employment status of a person in the custody of or under the supervision and"

Page 3, overstrike line 31

Page 4, line 1, overstrike "to an agency or official charged with the enforcement of child support."

Page 4, line 6, after the overstruck period insert:

"8. Any person, organization, or agency receiving exempt or confidential records under this section shall maintain the closed or confidential nature of the records and may not redisclose the records.

9. The department of corrections and rehabilitation shall maintain the confidentiality of witness protection program records and legal files under seal."

Page 4, line 12, remove "on"

Page 4, line 13, remove "behalf of the parole board" and overstrike "are confidential and" and insert immediately thereafter "on behalf of the parole board"

Page 4, line 15, remove "subject to section 44-04-18 and section 5 of article XI of the"

Page 4, line 16, remove "Constitution of North Dakota"

Re-number accordingly