

Sixty-sixth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1425

Introduced by

Representatives Brandenburg, Mitskog

Senators Grabinger, Hogan, Wanzek

1 A BILL for an Act to create and enact two new subsections to section 12.1-34-02 of the North
2 Dakota Century Code, relating to treatment standards for victims and medical screening; and to
3 amend and reenact section 29-04-03.1 of the North Dakota Century Code, relating to
4 prosecution for sexual abuse of minors.

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

6 **SECTION 1.** Two new subsections to section 12.1-34-02 of the North Dakota Century Code
7 are created and enacted as follows:

8 Access to law enforcement report. Upon request of the child sexual abuse victim over
9 the age of eighteen, the prosecuting attorney or law enforcement authority shall
10 provide the victim with a copy of the law enforcement report corresponding with the
11 victim's case number.

12
13 Preservation of evidence. A prosecuting attorney, law enforcement authority, criminal
14 laboratory, or evidentiary storage facility may not destroy or dispose of any evidence to
15 a criminal offense before the limitation period for prosecution for the offense has
16 ended or the offense has been adjudicated.

17 **SECTION 2. AMENDMENT.** Section 29-04-03.1 of the North Dakota Century Code is
18 amended and reenacted as follows:

19 **29-04-03.1. Prosecution for sexual abuse of minors.**

20 1. Except as provided in subsection 2, a prosecution for a violation of sections
21 12.1-20-03 through 12.1-20-08 or of section 12.1-20-11 if the victim was under
22 eighteen years of age at the time the offense was committed must be commenced in
23 the proper court within ~~ten~~ twenty-one years after the commission of the offense or, if

- 1 the victim failed to report the offense within this limitation period, within three years
2 after the offense was reported to law enforcement authorities.
- 3 2. If, based upon evidence containing deoxyribonucleic acid or a fingerprint obtained at
4 the time of offense, a suspect is conclusively identified by deoxyribonucleic acid
5 testing after the time period prescribed in subsection 1 has expired, a prosecution may
6 be commenced within three years after the suspect is conclusively identified by the
7 deoxyribonucleic acid testing or fingerprint authentication.