

Introduced by

Judiciary Committee

(At the request of the Department of Corrections and Rehabilitation)

1 A BILL for an Act to amend and reenact section 25-03.3-04 of the North Dakota Century Code,
2 relating to record retention of civil commitment of sexually dangerous individuals.

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

4 **SECTION 1. AMENDMENT.** Section 25-03.3-04 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **25-03.3-04. Retention of records.**

7 Notwithstanding any other provision of law, all adult and juvenile case files and court
8 records of an alleged offense defined by chapters 12.1-20 and 12.1-27.2 must be retained for
9 ~~forty~~twenty-five years and made available to any state's attorney for purposes of investigation or
10 proceedings pursuant to this chapter. If the subject of a case file or court record has died before
11 the expiration of the twenty-five-year period, the official, department, or agency possessing the
12 case files and records shall maintain the case files and records in accordance with the case file
13 and records retention policies of that official, department, or agency. For purposes of this
14 section, "adult and juvenile case files" mean the subject's medical, psychological, and treatment
15 clinical assessments, evaluations, and progress reports; offenses in custody records; case
16 notes; and criminal investigation reports and records.