

**Sixty-second Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 4, 2011**

HOUSE BILL NO. 1156
(Representatives Klemin, Porter)
(Senators Lyson, Olafson)

AN ACT to amend and reenact sections 57-40.6-06 and 57-40.6-07 and subdivision a of subsection 1 of section 57-40.6-10 of the North Dakota Century Code, relating to the confidentiality of emergency services communication systems and to emergency services communication system coordinators; and to provide a penalty.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 57-40.6-06 of the North Dakota Century Code is amended and reenacted as follows:

57-40.6-06. Data base.

Any telephone exchange access service provider providing emergency 911 service shall provide current customer names, addresses, and telephone numbers to each ~~911~~emergency services communication system coordinator, the coordinator's designee, or public safety answering point within each 911 system. Information provided under this section must be provided in accordance with the transactional record disclosure requirements of the federal Electronics Communications Privacy Act of 1986, 18 U.S.C. 2703(c)(1)(B)(iii), and in a manner that identifies the names and telephone numbers that are unpublished. The provider shall report data base information regarding new service or a change of service within two business days of the actual service change unless a longer period is permitted by the jurisdiction. The provider shall report data base information regarding dropped service at least monthly.

SECTION 2. AMENDMENT. Section 57-40.6-07 of the North Dakota Century Code is amended and reenacted as follows:

57-40.6-07. Use of the furnished information.

1. Unpublished names and telephone numbers generated by a ~~911~~an emergency services communication system coordinator or ~~911~~a public safety answering point or provided to a ~~911~~an emergency services communication system coordinator or public safety answering point under section 57-40.6-06 are confidential and may be used only for verifying the location or identity, or both, for response purposes, of a person calling a ~~911~~public safety answering point for emergency help or by the ~~911~~emergency services communication system coordinator or public safety answering point for the purpose of a public safety agency notifying a person of an emergency.
2. Published names and telephone numbers maintained by a ~~911~~an emergency services communication system coordinator or public safety answering point are exempt records as defined in section 44-04-17.1 but must be provided upon request to the treasurer and auditor of the county served by the ~~911~~coordinator~~public safety answering point~~ for the purpose of verifying and correcting names and addresses used for official purposes.
3. A record obtained by a public safety answering point for the purpose of providing services in an emergency and which reveals personal information or the identity, address, or telephone number of a person requesting emergency service or reporting an emergency ~~by accessing an emergency telephone number 911 system~~ is exempt from section 44-04-18 and may be redacted from the record before it is released.

4. An audio recording of a request for emergency services or of a report of an emergency is an exempt record as defined in section 44-04-17.1. However, upon request, a person may listen to the audio recording, but may not copy or record the audio. A person also may request a written transcript of the audio recording, which must be provided to the person within a reasonable time.

SECTION 3. AMENDMENT. Subdivision a of subsection 1 of section 57-40.6-10 of the North Dakota Century Code is amended and reenacted as follows:

- a. Designate a ~~911~~an emergency services communication system coordinator.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-second Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1156.

House Vote: Yeas 78 Nays 16 Absent 0

Senate Vote: Yeas 46 Nays 0 Absent 1

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2011.

Approved at _____ M. on _____, 2011.

Governor

Filed in this office this _____ day of _____, 2011,

at _____ o'clock _____ M.

Secretary of State