

Introduced by

Senators Myrdal, Larson, Luick

Representatives Cory, Karls, Klemin

1 A BILL ~~for an Act to amend and reenact section 54-12-24 of the North Dakota Century Code,~~  
2 ~~relating to the state crime laboratory.~~for an Act to provide an appropriation to the attorney  
3 general for the crime laboratory.

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

5 ~~— **SECTION 1. AMENDMENT.** Section 54-12-24 of the North Dakota Century Code is~~  
6 ~~amended and reenacted as follows:~~

7 ~~— **54-12-24. State crime laboratory division.**~~

8 ~~— 1. A state crime laboratory is created as a division of the office of the attorney general.~~

9 ~~This division consists of a director, the state toxicologist, and such other personnel as~~  
10 ~~may be appointed by the attorney general. The state crime laboratory may establish~~  
11 ~~and charge fees for services rendered. The state crime laboratory must be~~  
12 ~~administratively separated from the bureau of criminal investigation. The director~~  
13 ~~serves at the pleasure of the attorney general and is entitled to receive a salary set by~~  
14 ~~the attorney general within the limits of legislative appropriation.~~

15 ~~— 2. The state crime laboratory shall employ the services of a qualified toxicologist who~~  
16 ~~must be the state toxicologist. The attorney general shall appoint the state toxicologist.~~  
17 ~~The attorney general may appoint such qualified deputy state toxicologists as may be~~  
18 ~~necessary to exercise the authority and responsibility prescribed by law for the state~~  
19 ~~toxicologist. The results of toxicological or chemical testing or analysis, other than~~  
20 ~~provided for in section 39-20-13, made by the state toxicologist at the request of law~~  
21 ~~enforcement agencies for criminal investigation may not be disclosed directly or~~  
22 ~~indirectly by the state toxicologist or any agent or employee of the attorney general to~~  
23 ~~anyone other than the person or agency requesting the test or analysis or to any other~~  
24 ~~person upon whom the toxicological or chemical test was performed or the person's~~

1            ~~authorized representative, except the state toxicologist may permit the inspection of~~  
2            ~~the reports of any such test or analysis results by any other person having a proper~~  
3            ~~interest therein as determined by the director of the state crime laboratory.~~

4            ~~3. Upon the request of the state forensic examiner, any state's attorney, sheriff, chief~~  
5            ~~of police, coroner, or other local, state, or federal law enforcement official, the attorney~~  
6            ~~general may make available to the requesting official the state crime laboratory's~~  
7            ~~facilities and personnel to assist in the investigation or detection of crimes and the~~  
8            ~~apprehension or prosecution of criminals.~~

9            **SECTION 1. APPROPRIATION - CRIME LABORATORY.** There is appropriated out of any  
10           ~~monies in the general fund in the state treasury, not otherwise appropriated, the sum of~~  
11           ~~\$388,000, or so much of the sum as may be necessary, to the attorney general for the purpose~~  
12           ~~of providing one full-time equivalent position and operating expenses for the crime laboratory,~~  
13           ~~for the biennium beginning July 1, 2023, and ending June 30, 2025.~~