1 A BILL for an Act to amend and reenact section 44-04-18.6 of the North Dakota Century Code, 
2 relating to exempting records of communications between legislators and public employees 
3 from open records laws. 

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

5 SECTION 1. AMENDMENT. Section 44-04-18.6 of the North Dakota Century Code is 
6 amended and reenacted as follows: 

7 44-04-18.6. Access to legislative records and information. 
8 1. The following records, regardless of form or characteristic, of or relating to the 
9 legislative council, the legislative management, the legislative assembly, the house of 
10 representatives, the senate, or a member of the legislative assembly are not subject to 
11 section 44-04-18 and section 6 of article XI of the Constitution of North Dakota: a 
12 a. A record of a purely personal or private nature; a 
13 b. A record that is legislative council work product or is legislative council-client 
14 communication; a 
15 c. A record that reveals the content of private communications between a member 
16 of the legislative assembly and any person; and, except 
17 d. Except with respect to a governmental entity determining the proper use of 
18 telephone service, a record of telephone usage which identifies the parties or lists 
19 the telephone numbers of the parties involved. 
20 2. The exception in subdivision c of subsection 1 applies to records possessed by a 
21 member of the legislative assembly or by any other public officer or employee. 
22 3. This section does not apply to any record distributed at a meeting subject to section 
23 44-04-19 and section 5 of article XI of the Constitution of North Dakota.