AN ACT to amend and reenact section 44-04-18.6 of the North Dakota Century Code, relating to exempting records of communications between legislators and public employees from open records laws.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

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


1. The following records, regardless of form or characteristic, of or relating to the legislative council, the legislative management, the legislative assembly, the house of representatives, the senate, or a member of the legislative assembly are not subject to section 44-04-18 and section 6 of article XI of the Constitution of North Dakota: a

   a. A record of a purely personal or private nature;
   b. A record that is legislative council work product or is legislative council-client communication;
   c. A record that reveals the content of private communications between a member of the legislative assembly and any person, except
   d. Except with respect to a governmental entity determining the proper use of telephone service, a record of telephone usage which identifies the parties or lists the telephone numbers of the parties involved.

2. The exception in subdivision c of subsection 1 applies to records possessed by a member of the legislative assembly or by any other public officer or employee.

3. This section does not apply to any record distributed at a meeting subject to section 44-04-19 and section 5 of article XI of the Constitution of North Dakota.
This certifies that the within bill originated in the Senate of the Sixty-sixth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2221.

Senate Vote:    Yeas 37  Nays 10  Absent 0
House Vote:    Yeas 82  Nays 5  Absent 7

Secretary of the Senate

Received by the Governor at ________M. on _____________________________________, 2019.
Approved at ________ M. on __________________________________________________, 2019.

Governor

Filed in this office this __________day of _______________________________________, 2019,
at ________ o’clock ________M.