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CHANGES TO STATE'S "SUNSHINE" LAWS TAKE EFFECT TODAY

BISMARCK – North Dakota's public entities should be aware of changes to the state's open record and meetings laws which took effect today, announced Attorney General Wayne Stenehjem. Senate Bill 2232 was filed today with the Secretary of State and has an emergency clause. The legislation was the product of a task force created by Stenehjem last year, comprised of representatives from the media, law enforcement, education, technology, and state, local and city governments.

"Senate Bill 2232 updates the law to address advances in technology and the increasing reliance by public entities on electronic media and record-keeping," said Stenehjem. "It also extends some privacy protections to crime victims and their families, and to individuals who receive emergency medical treatment."

The bill requires public entities to ensure the public's right to access records is not impaired when public records are converted to electronic form or stored using electronic media.

Other changes contained in Senate Bill 2232 include:

- Copies of electronic records must be provided at no cost unless it takes more than one hour for the entity to locate or to redact those records.
- A public entity can post meeting notices and agendas on its website instead of filing them with the city or county auditor (for city or county entities, respectively) or the Secretary of State (state agencies).
- Law enforcement training materials are exempt from disclosure, as is any information regarding prospective criminal activities if that information affects officer safety.
- The name and information about the medical condition of an individual who receives medical treatment during an emergency medical response is protected from release.
- Crime scene photographs of victims of sex crimes and homicides are now protected from release, as are images of a minor victim of any crime.

Detailed information about the new requirements is available from the Attorney General's website, www.ag.nd.gov, on the Open Records & Meetings page.

The state's "sunshine" laws apply to all North Dakota public entities, including state and local government agencies, rural fire and ambulance authorities, water districts, public schools, and non-profit agencies receiving public funds.

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