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MEMORANDUM

To: All State's Attorneys and County Recorders
From: Hope Olson, Crime Laboratory Division Director
Date: 7/27/2011
RE: Legislative Changes – Effective August 1, 2011

Senate Bill 2113 as passed by the 62nd Legislative Assembly amends the laws relating to filing toxicology records of approved devices, qualified and certified operators of the devices, and operational checklists and forms. The law presently requires the Director of the State Crime Laboratory or the Director's designee to file the written records with the County Recorder for each county, unless the board of county commissioners has designated another official.

Effective August 1, 2011, these records will be certified by the Director of the State Crime Laboratory or the Director's designee and electronically posted with the Crime Laboratory Division of the North Dakota Attorney General at the North Dakota Attorney General's website. The certified records that have been electronically posted will be available for download in a printable format on the Attorney General's website. The Legislature also provided that copies of the State Crime Laboratory certified records that have been electronically posted at the Crime Laboratory Division of the North Dakota Attorney General at the North Dakota Attorney General's website are prima facie admissible evidence of the matters stated in the records.

The State Crime Laboratory will post supplements to the records of approved devices, qualified and certified operators of the devices, and operational checklists and forms to the website by the fifth of each month.