

**FIRST ENGROSSMENT
with House Amendments**

Fifty-sixth
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2362

Introduced by

Senators Kilzer, O'Connell, Wanzek

Representatives Boehm, Kerzman

1 A BILL for an Act to create and enact two new sections to chapter 12.1-16 of the North Dakota
2 Century Code, relating to the prevention of assisted suicide.

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

4 **SECTION 1.** A new section to chapter 12.1-16 of the North Dakota Century Code is
5 created and enacted as follows:

6 **Civil damages.** Any person given standing under subsection 1 of section 12.1-16-05,
7 except the health care provider, may maintain a claim for relief for compensatory and punitive
8 damages against any person who violates or attempts to violate section 12.1-16-04. Prior
9 knowledge of or consent to the violation by the plaintiff does not preclude a claim for relief
10 under this section. This section does not preclude any claim under any other provision of law.

11 **SECTION 2.** A new section to chapter 12.1-16 of the North Dakota Century Code is
12 created and enacted as follows:

13 **Suspension or revocation of license of health care provider.** If the person who
14 assists in a suicide in violation of section 12.1-16-04 is a person who is licensed, certified, or
15 otherwise authorized by title 43 to administer health care in the ordinary course of business or
16 professional practice, the licensing agency that issued the license or certification to that person
17 may suspend or revoke the license or certification of that person upon receipt of:

- 18 1. A copy of the record of criminal conviction or plea of guilty to a felony in violation of
19 section 12.1-16-04;
- 20 2. A copy of the record of a judgment of contempt of court for violating an injunction
21 issued under section 12.1-16-05; or
- 22 3. A copy of the record of a judgment assessing damages under section 1 of this Act.