

**HOUSE BILL NO. 1429**

Introduced by

Representatives Ruby, Berg, Nelson

Senators Krebsbach, Schobinger

1 A BILL for an Act to amend and reenact sections 65-04-04.2 and 65-07-03 of the North Dakota  
2 Century Code, relating to workers' compensation premiums; and to provide for application.

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

4 **SECTION 1. AMENDMENT.** Section 65-04-04.2 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **65-04-04.2. Basis of calculating premiums.**

- 7 1. For each year, the amount of an employee's wages subject to premium  
8 calculations ~~must be determined as an amount equal to seventy percent of the~~  
9 ~~statewide average annual~~ is the employee's gross annual wage, hereafter referred  
10 to as ~~limited~~ payroll, not to exceed four hundred percent of the statewide average  
11 annual wage rounded to the nearest one hundred dollars, determined by the  
12 bureau on or before July first as calculated by job service North Dakota under  
13 subsection 3 of section 52-04-03.
- 14 2. The rates for each classification must be determined by:
- 15 a. Estimating the revenue needed by each employment classification;
- 16 b. Estimating the total ~~limited~~ payroll to be reported by all employers in each  
17 employment classification for the year; and
- 18 c. Dividing the estimated revenue needed by an employment classification by  
19 the estimated total ~~limited~~ payroll in that classification to determine the  
20 required average premium for that classification rate.

21 **SECTION 2. AMENDMENT.** Section 65-07-03 of the 1999 Supplement to the North  
22 Dakota Century Code is amended and reenacted as follows:

1           **65-07-03. Determination of weekly wage for premium purposes.** If the bureau  
2 enters into a contract for insurance under this chapter, the premium for such protection shall be  
3 based on:

4           1. The amount of money derived on an annual basis from the business of an  
5 employer or self-employed person as outlined in subdivision b of subsection 5 of  
6 section 65-01-02. This amount is subject to the maximum set forth in subsection 1  
7 of section 65-04-04.2 and may not be less than one hundred percent of the limited  
8 payroll required to be reported for an employee in statewide average annual wage  
9 determined by the bureau on or before July first as calculated by job service North  
10 Dakota under subsection 4 3 of section ~~65-04-04.2~~ 52-04-03, rounded to the  
11 nearest one hundred dollars.

12           2. A reasonable wage as determined by the bureau for said employees in the same  
13 class of industry that the volunteer organization is engaged.

14           3. Actual wages paid to a clerk, assessor, treasurer, or member of the board of  
15 supervisors of an organized township, if the contract for insurance is to provide  
16 protection for a person mentioned in this subsection and that person is not  
17 employed by the township in any other capacity.

18           **SECTION 3. APPLICATION OF ACT.** This Act applies to all account renewals  
19 occurring after June 30, 2001.