

SENATE BILL NO. 2316

Introduced by

Senators Campbell, Anderson, Luick

Representatives Monson, Paur, Trottier

1 A BILL ~~for an Act to provide for an excess damages program; to provide an appropriation; and~~
2 ~~to provide for retroactive application.~~for an Act to provide for a grant program to political
3 subdivisions for the settlement of claims; to provide an appropriation; and to provide retroactive
4 application.

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

6 ~~— **SECTION 1. EXCESS DAMAGES PROGRAM.** The insurance commissioner shall~~
7 ~~administer an excess damages program by providing supplemental payments for damages for~~
8 ~~an occurrence on January 5, 2015, which would otherwise be limited by the limitation of five~~
9 ~~hundred thousand dollars for injury to three or more persons during any single occurrence~~
10 ~~contained in section 32-12.1-03. The insurance commissioner may not accept a claim made~~
11 ~~after June 30, 2016. If the fund is unable to provide funding for all claims, the insurance~~
12 ~~commissioner shall prorate the payment of the claims.~~

13 ~~— **SECTION 2. APPROPRIATION.** There is appropriated out of any moneys in the general~~
14 ~~fund in the state treasury, not otherwise appropriated, the sum of \$2,000,000, or so much of the~~
15 ~~sum as may be necessary, to the insurance commissioner for the purpose of the excess~~
16 ~~damages program, for the biennium beginning July 1, 2015, and ending June 30, 2017.~~

17 ~~— **SECTION 3. RETROACTIVE APPLICATION.** This Act applies retroactively to an event~~
18 ~~occurring on January 5, 2015.~~

19 **SECTION 1. GRANTS FOR THE SETTLEMENT OF CLAIMS.** During the 2015-17
20 biennium, the office of management and budget shall administer a grant program to political
21 subdivisions that apply for funding for the settlement of claims that are a result of this Act. Under
22 section 32-12.1-03, the liability limit of five hundred thousand dollars for injury to three or more
23 persons during any single occurrence does not apply to a political subdivision for an occurrence
24 on January 5, 2015, to the extent the political subdivision settles the claims within the grant

1 awarded under this Act. If asserted claims exceed the grant award, the political subdivision may
2 reduce the settlement of the claims on a pro rata basis. To qualify for a grant under this section,
3 after receiving claims, a political subdivision shall submit an application with the office of
4 management and budget. Any claim against a political subdivision under this Act must be paid
5 by June 30, 2017. This section does not expand a political subdivision's liability beyond the
6 amount of a grant awarded to the political subdivision under this section.

7 **SECTION 2. APPROPRIATION.** There is appropriated out of any moneys in the general
8 fund in the state treasury, not otherwise appropriated, the sum of \$2,000,000, or so much of the
9 sum as may be necessary, to the office of management and budget for the purpose of making
10 grants to political subdivisions under section 1 of this Act, for the biennium beginning July 1,
11 2015, and ending June 30, 2017.

12 **SECTION 3. RETROACTIVE APPLICATION.** This Act applies retroactively to an event
13 occurring on January 5, 2015.