

SENATE BILL NO. 2129

Introduced by

Senators Patten, Hogue, Oban, Weber

Representatives Pyle, Zubke

1 A BILL for an Act to amend and reenact subsection 2 of section 32-12.1-03 and subsection 2 of
2 section 32-12.2-02 of the North Dakota Century Code, relating to liability limits for the state and
3 political subdivisions.

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

5 **SECTION 1. AMENDMENT.** Subsection 2 of section 32-12.1-03 of the North Dakota
6 Century Code is amended and reenacted as follows:

7 2. The liability of political subdivisions under this chapter is limited to a total of ~~two~~five
8 hundred ~~thirty~~ thousand dollars per person and ~~one~~two million dollars for any number of
9 claims arising from any single occurrence regardless of the number of political
10 subdivisions, or employees of such political subdivisions, which are involved in that
11 occurrence. A political subdivision may not be held liable, or be ordered to indemnify
12 an employee held liable, for punitive or exemplary damages.

13 **SECTION 2. AMENDMENT.** Subsection 2 of section 32-12.2-02 of the North Dakota
14 Century Code is amended and reenacted as follows:

15 2. The liability of the state under this chapter is limited to a total of ~~two~~five hundred ~~thirty~~
16 thousand dollars per person and ~~one~~two million dollars for any number of claims
17 arising from any single occurrence. The state may not be held liable, or be ordered to
18 indemnify a state employee held liable, for punitive or exemplary damages. Any
19 amount of a judgment against the state in excess of the ~~one~~two million dollar limit
20 imposed under this subsection may be paid only if the legislative assembly adopts an
21 appropriation authorizing payment of all or a portion of that amount. A claimant may
22 present proof of the judgment to the director of the office of management and budget
23 who shall include within the proposed budget for the office of management and budget
24 a request for payment for the portion of the judgment in excess of the limit under this

Sixty-seventh
Legislative Assembly

- 1 section at the next regular session of the legislative assembly after the judgment is
- 2 rendered.