

February 18, 2021

PROPOSED AMENDMENTS TO SENATE BILL NO. 2337

Page 1, line 1, replace the second "and" with a comma

Page 1, line 1, after "48-01.2-02.1" insert ", and 48-01.2-10"

Page 1, line 9, remove the overstrike over "~~two~~"

Page 1, line 9, remove "five"

Page 1, line 9, after "hundred" insert "and fifty"

Page 1, line 17, after "hundred" insert "and fifty"

Page 1, line 19, remove the overstrike over "~~two~~"

Page 1, line 19, remove "five"

Page 1, line 19, after "hundred" insert "and fifty"

Page 2, after line 2, insert:

**"SECTION 3. AMENDMENT.** Section 48-01.2-10 of the North Dakota Century Code is amended and reenacted as follows:

**48-01.2-10. Bonds from contractors for public improvements.**

1. Unless otherwise provided under this chapter, a governing body authorized to enter a contract for the construction of a public improvement in excess of two hundred and fifty thousand dollars shall take from the contractor a bond before permitting any work to be done on the contract. The bond must be for an amount equal at least to the price stated in the contract. The bond must be conditioned to be void if the contractor and all subcontractors fully perform all terms, conditions, and provisions of the contract and pay all bills or claims on account of labor performed and any supplies, and materials furnished and used in the performance of the contract, including all demands of subcontractors. The requirement that bills and claims be paid must include the requirement that interest of the amount authorized under section 13-01-14 be paid on bills and claims not paid within ninety days. The bond is security for all bills, claims, and demands until fully paid, with preference to labor and material suppliers as to payment. The bond must run to the governing body, but any person having a lawful claim against the contractor or any subcontractor may sue on the bond.
2. A governing body may not require any person required to provide a surety bond to obtain the surety bond from a specified insurance or surety company or insurance producer or to submit financial data to the company or producer."

Renumber accordingly