

Sixtieth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1390

Introduced by

Representatives Kerzman, Wald

Senator Krauter

1 A BILL for an Act to create and enact a new section to chapter 50-11 of the North Dakota
2 Century Code, relating to liability coverage for damage caused by foster children.

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

4 **SECTION 1.** A new section to chapter 50-11 of the North Dakota Century Code is
5 created and enacted as follows:

6 **Department to provide liability coverage.**

- 7 1. The department shall provide liability coverage for the intentional and unintentional
8 acts or omissions of foster children placed in the care of foster families. The
9 department may provide this liability coverage through self-insurance.
- 10 2. The liability coverage under this section:
- 11 a. Must provide coverage for damage to the property of a foster family which is
12 caused by the act of the family's foster child. This coverage must be for the
13 lesser of the reasonable cost to repair or to replace the damaged property.
- 14 b. Is secondary to any other coverage the foster family may have for claimed
15 losses.
- 16 c. May not exceed five thousand dollars per claim, with an annual maximum of
17 ten thousand dollars per year per claimant. The coverage under this
18 subsection must include a deductible not to exceed one hundred dollars per
19 claim.
- 20 3. The department may provide for exclusions from liability coverage provided under
21 this section.