

Sixty-sixth  
Legislative Assembly  
of North Dakota

ENGROSSED HOUSE BILL NO. 1123

Introduced by

Representatives Schobinger, Kasper, Lefor, Mitskog

Senators Klein, Krebsbach, Mathern

1 A BILL for an Act to create and enact a new section to chapter 26.1-39 of the North Dakota  
2 Century Code, relating to property and casualty insurance risk rating; and to provide for  
3 application.

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

5 **SECTION 1.** A new section to chapter 26.1-39 of the North Dakota Century Code is created  
6 and enacted as follows:

7 **Fire protection class - Dispute.**

8 1. This section applies to an insurance policy issued or renewed to insure real property in  
9 this state for coverage for loss caused by or which resulted from any covered cause of  
10 loss.

11 2. Within thirty days following quoting, issuing, or renewing of the policy, the insured may  
12 assert a fire protection class which differs from the class identified by the insurer and  
13 the insurer shall implement this class. The insured shall present to the insurer a  
14 credible basis for the assertion supported by factual information.

15 3. Within ninety days following receipt of the assertion by an insured, the insurer may  
16 investigate the assertion and:

17 a. Change the fire protection class, effective from the date of issuance or renewal of  
18 all affected policies; or

19 b. Document the basis for the original class and implement the original class  
20 effective from the date of issuance or renewal.

21 4. After making a determination under subsection 3, the insurer shall inform the insured  
22 of the determination.

23 **SECTION 2. APPLICATION.** This Act applies to quoting, issuing, or renewing of insurance  
24 policies on and after the effective date of this Act.