

Introduced by

Representatives Pyle, Hagert, O'Brien, D. Ruby, Wagner

Senators J. Roers, Vedaa

1 A BILL for an Act to amend and reenact section 32-03.3-02 of the North Dakota Century Code,
2 relating to liability limitations of charitable organizations; to provide an effective date; and to
3 declare an emergency.

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

5 **SECTION 1. AMENDMENT.** Section 32-03.3-02 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **32-03.3-02. Liability of charitable organizations - Limitations - Statute of limitations.**

8 1. A charitable organization may be only held liable for money damages for a personal
9 injury or property damage proximately caused by the negligence or wrongful act or
10 omission of an employee acting within the employee's scope of employment.

11 2. The liability of the charitable organization under this chapter is limited to a total of
12 ~~two~~three hundred ~~fifty~~seventy-five thousand dollars per person and one million dollars
13 for any number of claims arising from any single occurrence. The charitable
14 organization may not be held liable, or be ordered to indemnify an employee held
15 liable, for punitive or exemplary damages. The liability limits under this subsection
16 must be adjusted annually as follows:

17 a. On July 1, 2025, a total of four hundred six thousand two hundred fifty dollars per
18 person and one million six hundred twenty-five thousand dollars for any single
19 occurrence.

20 b. On July 1, 2026, a total of four hundred thirty-seven thousand five hundred
21 dollars per person and one million seven hundred fifty thousand dollars for any
22 single occurrence.

1 c. On July 1, 2027, a total of four hundred sixty-eight thousand seven hundred fifty
2 dollars per person and one million eight hundred seventy-five thousand dollars
3 per occurrence.

4 3. An action brought under this chapter must be commenced within the period provided
5 in chapter 28-01.

6 **SECTION 2. AMENDMENT.** Section 32-03.3-02 of the North Dakota Century Code is
7 amended and reenacted as follows:

8 **32-03.3-02. Liability of charitable organizations - Limitations - Statute of limitations.**

9 1. A charitable organization may be only held liable for money damages for a personal
10 injury or property damage proximately caused by the negligence or wrongful act or
11 omission of an employee acting within the employee's scope of employment.

12 2. The liability of the charitable organization under this chapter is limited to a total of
13 ~~three~~five hundred ~~seventy-five~~ thousand dollars per person and ~~one~~two million dollars
14 for any number of claims arising from any single occurrence. The charitable
15 organization may not be held liable, or be ordered to indemnify an employee held
16 liable, for punitive or exemplary damages. ~~The liability limits under this subsection~~
17 ~~must be adjusted annually as follows:~~

18 a. ~~On July 1, 2025, a total of four hundred six thousand two hundred and fifty dollars~~
19 ~~per person and one million six hundred twenty-five thousand dollars for any~~
20 ~~single occurrence.~~

21 b. ~~On July 1, 2026, a total of four hundred thirty-seven thousand five hundred~~
22 ~~dollars per person and one million seven hundred fifty thousand dollars for any~~
23 ~~single occurrence.~~

24 c. ~~On July 1, 2027, a total of four hundred sixty-eight thousand seven hundred fifty~~
25 ~~dollars per person and one million eight hundred seventy-five thousand dollars~~
26 ~~per occurrence.~~

27 3. An action brought under this chapter must be commenced within the period provided
28 in chapter 28-01.

29 **SECTION 3. EFFECTIVE DATE.** Section 1 of this Act becomes effective on July 1, 2023.

30 **SECTION 4. EFFECTIVE DATE.** Section 2 of this Act becomes effective on July 1, 2029.

31 **SECTION 5. EMERGENCY.** Section 1 of this Act is declared to be an emergency measure.