

Fifty-fifth  
Legislative Assembly  
of North Dakota

**HOUSE BILL NO. 1399**

Introduced by

Representatives Oban, Mahoney

Senator Watne

1 A BILL for an Act to amend and reenact section 32-21-03 of the North Dakota Century Code,  
2 relating to persons who may bring a wrongful death action.

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

4 **SECTION 1. AMENDMENT.** Section 32-21-03 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **32-21-03. Who may bring action.** The action shall be brought by the following  
7 persons in the order named:

- 8 1. The surviving husband or wife, if any.
- 9 2. The surviving children, if any.
- 10 3. The surviving mother or father.
- 11 4. The personal representative.
- 12 5. A surviving grandparent.
- 13 6. A person standing in loco parentis.

14 If any person entitled to bring the action refuses or neglects so to do for a period of thirty days  
15 after demand of the person next in order, ~~such~~ that person may bring the ~~same~~ action.