Fifty-seventh Legislative Assembly of North Dakota

## HOUSE BILL NO. 1329

## Introduced by

Representatives Jensen, Ekstrom, Kingsbury

Senators Christenson, Espegard

1 A BILL for an Act to provide immunity from suit for a financial institution or financial institution

2 employee that makes a good-faith report of suspected exploitation of a disabled or vulnerable

3 elderly adult; and to create and enact a new subsection to section 6-08.1-03 of the North

4 Dakota Century Code, relating to the disclosure by a financial institution of suspected

5 exploitation of a disabled or vulnerable elderly adult to a government agency or law

6 enforcement agency.

## 7 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

8 SECTION 1. A new subsection to section 6-08.1-03 of the North Dakota Century Code
9 is created and enacted as follows:

For purposes of reporting suspected exploitation of a disabled adult or vulnerable elderly adult as defined by section 12.1-31-07. Nothing in this subsection may be construed to impose upon a financial institution a duty to investigate an alleged or suspected exploitation of a disabled adult or vulnerable elderly adult or to make any report to a government agency or law enforcement agency.

15 SECTION 2. Immunity from liability. A financial institution or financial institution 16 employee participating in good faith in the making of a report of suspected exploitation of a 17 disabled adult or vulnerable elderly adult to a government agency or law enforcement agency, 18 assisting in an investigation of suspected exploitation of a disabled adult or vulnerable elderly 19 adult by a government agency or law enforcement agency, or furnishing information to a 20 government agency or law enforcement agency about suspected exploitation of a disabled 21 adult or vulnerable elderly adult is immune from any liability, civil or criminal, that might 22 otherwise result from reporting a suspected case of exploitation of a disabled adult or 23 vulnerable elderly adult. For purposes of any proceeding, civil or criminal, the good faith of a

Fifty-seventh Legislative Assembly

- 1 financial institution making a report of suspected exploitation of a disabled adult or vulnerable
- 2 elderly adult to a government agency or law enforcement agency must be presumed.