

Fifty-ninth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1487

Introduced by

Representatives Kerzman, Galvin, Kasper, Sitte

Senators Dever, G. Lee

1 A BILL for an Act to create and enact a new section to chapter 14-02.1 of the North Dakota
2 Century Code, relating to liability insurance requirements for abortion facilities.

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

4 **SECTION 1.** A new section to chapter 14-02.1 of the North Dakota Century Code is
5 created and enacted as follows:

6 **Abortion facility liability insurance requirement - injunction.** An abortion facility in
7 this state may not allow an abortion to be performed at the facility unless the clinic is insured
8 under a liability insurance policy and every physician performing professional services at the
9 clinic is insured under a professional liability insurance policy. The insurance required under
10 this section must provide coverage of at least one million dollars per claim, three million dollars
11 annual aggregate, to cover all medical injuries to patients resulting from negligent acts or
12 omissions on the part of those members of the facility's medical staff. The insurance required
13 under this section must be from an entity authorized under title 26.1. Upon the attorney
14 general's own motion, the attorney general may investigate any alleged violation of this section.
15 As part of an investigation under this section, the attorney general may subpoena witnesses,
16 administer oaths, take testimony, and require the production of books, documents, and other
17 records. The attorney general may institute a civil action in the name of the state in district
18 court for an injunction prohibiting any practice in violation of this section.