

**FIRST ENGROSSMENT
with Senate Amendments**

Sixtieth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1390

Introduced by

Representatives Kerzman, Wald

Senator Krauter

1 A BILL for an Act to create and enact a new section to chapter 50-11 of the North Dakota
2 Century Code, relating to liability coverage for damage caused by foster children.

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

4 **SECTION 1.** A new section to chapter 50-11 of the North Dakota Century Code is
5 created and enacted as follows:

6 **Department to provide liability coverage.**

- 7 1. The department shall provide liability coverage for acts or omissions of foster
8 children placed in the care of foster families. The department may provide this
9 liability coverage through self-insurance.
- 10 2. The liability coverage under this section:
- 11 a. Must provide coverage for damage to property which is caused by the act of a
12 foster child. This coverage must be for the lesser of the reasonable cost to
13 repair or to replace the damaged property.
- 14 b. Is secondary to any other coverage.
- 15 c. May not exceed five thousand dollars per claim, with an annual maximum of
16 ten thousand dollars per year per claimant. The coverage under this
17 subsection must include a deductible not to exceed one hundred dollars per
18 claim.
- 19 3. The department may provide for exclusions from liability coverage provided under
20 this section.