

Sixty-first
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1384

Introduced by

Representatives Koppelman, Kasper, Thoreson, Vigesaa

Senators Lyson, Wanzek

1 A BILL for an Act to provide limitations on private rights of action.

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

3 **SECTION 1. Legislation creating private right of action.**

4 1. Any legislation enacted in this state which creates a private right of action must
5 contain express language that provides for such a right. A court of this state may
6 not construe a statute to imply a private right of action in the absence of such
7 express language.

8 2. A court of this state may not construe subsection 1 to affect a private right of action
9 that before the effective date of this Act a court of this state recognized as arising
10 under a statute enacted in this state, including a statute that is amended after the
11 effective date of this section unless the amendment expressly bars the private right
12 of action.