

Sixty-first
Legislative Assembly
of North Dakota

SENATE BILL NO. 2443

Introduced by

Senator Christmann

(Approved by the Delayed Bills Committee)

1 A BILL for an Act to create and enact a new section to chapter 24-01 of the North Dakota
2 Century Code, relating to facility relocation cost recovery due to implementation of the
3 American Recovery and Reinvestment Act of 2009.

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

5 **SECTION 1.** A new section to chapter 24-01 of the North Dakota Century Code is
6 created and enacted as follows:

7 **Cost recovery for relocation of utility facilities due to implementation of the**
8 **American Recovery and Reinvestment Act of 2009.** Notwithstanding any other provision of
9 law, costs associated with changing, removing, relocating, or installing utility property as a
10 result of or caused by a project funded through implementation of the American Recovery and
11 Reinvestment Act of 2009 [Pub. L. 111-5] must be paid to the affected utility by the state or the
12 political subdivision as part of the costs of the project, and the payment does not constitute a
13 violation of a legal contract.