

Sixty-first  
Legislative Assembly  
of North Dakota

**HOUSE BILL NO.**

Introduced by

Representative Schneider

1 A BILL for an Act to amend and reenact section 5-01-06.1 of the North Dakota Century Code,  
2 relating to host liability for damages caused by intoxicated individual.

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

4 **SECTION 1. AMENDMENT.** Section 5-01-06.1 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **5-01-06.1. Claim for relief for fault resulting from intoxication.** Every spouse, child,  
7 parent, guardian, employer, or other person who is injured by any obviously intoxicated person  
8 has a claim for relief for fault under section 32-03.2-02 against any person who knowingly  
9 disposes, sells, barter, or gives away alcoholic beverages to a person under twenty-one years  
10 of age, an incompetent, or an obviously intoxicated person, and if death ensues, the survivors  
11 of the decedent are entitled to damages defined in section 32-21-02. No claim for relief  
12 pursuant to this section may be had on behalf of the intoxicated person nor on behalf of the  
13 intoxicated person's estate or personal representatives, nor may a claim for relief be had on  
14 behalf of an adult passenger in an automobile driven by an intoxicated person or on behalf of  
15 the passenger's estate or personal representatives. This exclusion from bringing a claim does  
16 not include minors, their estates or personal representatives.