Sixty-eighth Legislative Assembly of North Dakota In Regular Session Commencing Tuesday, January 3, 2023

SENATE BILL NO. 2109 (State and Local Government Committee) (At the request of the Office of Management and Budget)

AN ACT to create and enact subsection 5 of section 32-12.2-15 of the North Dakota Century Code, relating to limitation of liability provisions contained within packaging or click-through agreements for certain products.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. Subsection 5 of section 32-12.2-15 of the North Dakota Century Code is created and enacted as follows:

5. An agency may purchase routine or standardized products that contain adhesive contract terms in shrink wrap documents, third-party end user license, or click-through agreements that are not consistent with this section if the agency, in consultation with the attorney general's office and the office of management and budget, determines the purchase poses no reasonable risk of loss that cannot be limited under this section given the nature of the product's intended use, including data and system security. Routine or standardized products are products that are commercially available to the public which do not exceed one thousand dollars in cost.

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	Preside	ent of the Senate	S	Speaker of the House Chief Clerk of the House	
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Senate Vote:	Yeas 46	Nays 0	Absent 1		
House Vote:	Yeas 85	Nays 0	Absent 9		
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Received by the Governor atM. on					, 2023.
Approved at _	M. on _				_, 2023.
			G	Governor	
Filed in this off	ice this	day of			_, 2023,
at o	'clock	_M.			
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