



North Dakota Association for Justice
PO Box 365
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The Trial Lawyers of North Dakota

Jaclyn Hall, Executive Director
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Madam Chair Larson and members of the Senate Judiciary Committee, my name is Jaci Hall, Executive Director of the North Dakota Association for Justice. Today I am here in support of HB 1142.

As Representative Pyle mentioned, this legislation will remove the sunset provision on previously passed legislation to incrementally increase the cap on damages for political subdivisions and state agencies.

This cap was originally established in 1977 and was changed to account for inflation and the increased cost of everyday life in 2023. The current statute has a progressive cap as indicated below:

32-12.1-03. Liability of political subdivisions

- a. On July 1, 2023, a total of four hundred six thousand two hundred and fifty dollars per person and one million six hundred twenty-five thousand dollars for any single occurrence.
- b. On July 1, 2024, a total of four hundred thirty-seven thousand five hundred dollars per person and one million seven hundred fifty thousand dollars for any single occurrence.
- c. On July 1, 2025, a total of four hundred sixty-eight thousand seven hundred fifty dollars per person and one million eight hundred seventy-five thousand dollars per occurrence.
- d. On July 1, 2026, a total of five hundred thousand dollars per person and two million dollars per occurrence.

32-12.2-02. Liability of the state - Limitations

- a. On July 1, 2023, a total of four hundred six thousand two hundred and fifty dollars per person and one million six hundred twenty-five thousand dollars for any single occurrence.
- b. On July 1, 2024, a total of four hundred thirty-seven thousand five hundred dollars per person and one million seven hundred fifty thousand dollars for any single occurrence.
- c. On July 1, 2025, a total of four hundred sixty-eight thousand seven hundred fifty dollars per person and one million eight hundred seventy-five thousand dollars per occurrence.



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d. On July 1, 2026, a total of five hundred thousand dollars per person and two million dollars per occurrence.

This legislation will freeze the cap at \$500,000 / \$2 million for both liability to the state and liability for political subdivisions.

Thank you for your time and I will stand for questions.