

Fifty-sixth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1202

Introduced by

Representative Wald

1 A BILL for an Act to create and enact a new section to chapter 26.1-39 of the North Dakota
2 Century Code, relating to property and casualty insurance treatment of domestic violence.

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

4 **SECTION 1.** A new section to chapter 26.1-39 of the North Dakota Century Code is
5 created and enacted as follows:

6 **Domestic violence - Intentional acts.** An insurer issuing or renewing a policy of
7 property and casualty insurance in this state may not base any rating, underwriting, or claim
8 handling decision solely on whether an applicant or insured suffers from domestic violence as
9 defined under chapter 14-07.1. If a property and casualty insurance policy excludes property
10 coverage for intentional acts, the insurer may not deny payment to an innocent coinsured who
11 did not cooperate in or contribute to the creation of the loss if the loss arose out of domestic
12 violence and the perpetrator of the loss is criminally prosecuted for the act causing the loss.
13 Payment to this innocent coinsured may be limited to the innocent coinsured's ownership
14 interest in the property as reduced by any payment to a mortgagor or other secured interest.