

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1324

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new section to chapter 32-23 of the North Dakota Century Code, relating to allocation among parties of costs in declaratory judgments with respect to insurance policies.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 32-23 of the North Dakota Century Code is created and enacted as follows:

Determination of coverage under insurance policy. In a declaratory judgment action to determine coverage under an insurance policy, each party, including insureds and insurers, shall bear that party's own attorney's fees unless the court determines that contract language in the insurance policy provides coverage for attorney's fees, the insurer has acted unreasonably or unfairly in disputing coverage or a claim, or the insurer acted in bad faith."

Renumber accordingly