

**SENATE BILL NO. 2256  
with House Amendments**

Sixty-first  
Legislative Assembly  
of North Dakota

**SENATE BILL NO. 2256**

Introduced by

Senators Fischer, G. Lee, J. Lee, Miller

Representatives Kasper, Nelson, Nottestad

1 A BILL for an Act to amend and reenact section 32-12.2-13 of the North Dakota Century Code,  
2 relating to contracts between the state and a political subdivision; and to declare an  
3 emergency.

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

5 **SECTION 1. AMENDMENT.** Section 32-12.2-13 of the North Dakota Century Code is  
6 amended and reenacted as follows:

7 **32-12.2-13. Contract between the state and a political subdivision.** A contract  
8 between the state and a political subdivision may not contain a provision that requires one party  
9 to assume the liability of the other or the liability of a third party or to bear the costs of defense  
10 of actions against the other or against a third party, ~~unless the agreement is entered into in~~  
11 ~~good faith and is set forth in a separate writing signed by both parties and supported by~~  
12 ~~adequate consideration which must be stated in the agreement.~~

13 **SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure.