

HOUSE BILL NO. 1493

Introduced by

Representatives Klemin, Belter, Boe

Senators Cook, Seymour, Wanzek

1 A BILL for an Act to provide immunity for governmental entry on dangerous property.

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

3 **SECTION 1. Notice of entry on dangerous property.** If a state or local governmental
4 official, employee, or agent must enter property to perform a statutorily authorized or required
5 function or duty and has constructive or actual notice of restricted entry to the property due to a
6 dangerous condition, the governmental entity must provide the person owning or controlling the
7 property with not less than ten days written notice before entering the property stating the date
8 and time of entry except in instances of emergency or permission of the person owning or
9 controlling the property. The person owning or controlling the restricted property must be held
10 harmless by the governmental entity entering the property from claims or damages for personal
11 injury or property damage arising from entry on the property, except for injury or property
12 damage caused by malicious or willful conduct or from negligent conduct after the person has
13 given permission for entry or received written notice of entry.