

February 3, 2011

PROPOSED AMENDMENTS TO SENATE BILL NO. 2161

Page 1, line 1, remove "a new"

Page 1, line 1, after "subsection" insert "7"

Page 1, replace lines 13 through 17 with:

**"SECTION 2.** Subsection 7 to section 32-12.1-03 of the North Dakota Century Code is created and enacted as follows:

7. a. With regard to a congressional section line, as described in section 24-07-03, which is unimproved, the political subdivision that has jurisdiction over that congressional section line:
- (1) Is not liable for any claim based on a naturally occurring hazard regarding that congressional section line; and
  - (2) Is not liable for any claim based on a manmade hazard regarding that congressional section line unless:
    - (a) The political subdivision is notified in writing that the hazard exists; and
    - (b) The political subdivision either fails to take action to mitigate the hazard as soon as is practicable, but not to exceed ten days, after the written notification, or fails to provide warning that the congressional section line has a hazardous condition.
- b. Except as provided in paragraph 2 of subdivision a, any person that creates a hazard by altering a congressional section line is liable for any damages caused by the alteration.
- c. The political subdivision may seek an order directing the person that alters a congressional section line to restore the congressional section line to its original state."

Renumber accordingly