

HOUSE BILL NO. 1363

Introduced by

Representatives Brabandt, Frantsvog, Froseth

Senator Larsen

1 A BILL for an Act to amend and reenact section 11-21-02 of the North Dakota Century Code,
2 relating to bonds, coverage, and legal representation for public administrators.

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

4 **SECTION 1. AMENDMENT.** Section 11-21-02 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **11-21-02. Bond of public administrator - Conditions.**

7 1. The bond of the public administrator shall run to the state of North Dakota for the
8 benefit of any party who may be damaged by a breach of the conditions thereof.

9 Whether the bond is issued by the state bonding fund or by a surety company, it shall
10 guarantee that the public administrator will:

11 ~~1.~~ a. Faithfully discharge all the duties of the office.

12 ~~2.~~ b. Account annually to the judge of the district court for all estates and property
13 under the public administrator's official control and care, or whenever required so
14 to do by the judge.

15 ~~3.~~ c. Turn over to the successor in office all property and estates in the public
16 administrator's official care and control, and truly account for the same.

17 ~~4.~~ d. Turn over all property and estates in the public administrator's official care and
18 control to any other administrator, executor, or guardian designated by the judge
19 of the district court, and truly account for the same.

20 ~~5.~~ e. Perform such other acts and duties properly relating to the office as may be
21 ordered by the district judge.

22 The bond shall be approved and endorsed as provided for administrators and
23 executors.

- 1 2. The county in which a noncorporate public administrator is appointed under this
- 2 chapter shall provide coverage or legal representation, or both, through the North
- 3 Dakota insurance reserve fund or a similar entity to defend a claim against the public
- 4 administrator based on services provided while acting within the administrator's scope
- 5 of authority in accordance with the appointment and this chapter.