

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.~~ for an Act to
3 create and enact a new section to chapter 11-21 of the North Dakota Century Code, relating to
4 liability risk coverage for public administrators; and to provide an expiration date.

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

6 ~~— **SECTION 1. AMENDMENT.** Section 11-21-02 of the North Dakota Century Code is~~
7 ~~amended and reenacted as follows:~~

8 ~~— **11-21-02. Bond of public administrator – Conditions.**~~

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

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

13 ~~— 1. a. Faithfully discharge all the duties of the office.~~

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

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

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

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

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

8 **SECTION 1.** A new section to chapter 11-21 of the North Dakota Century Code is created
9 and enacted as follows:

10 **Liability coverage for public administrators.**

11 The county in which a noncorporate public administrator is appointed must provide liability
12 risk coverage for services provided by that public administrator while acting within the role of
13 public administrator.

14 **SECTION 2. EXPIRATION DATE.** This Act is effective through July 31, 2017, and after that
15 date is ineffective.