

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2010

Page 1, line 2, replace "section" with "sections"

Page 1, line 2, after "26.1-01-09" insert ", 26.1-23.1-02, and 26.1-23.1-06"

Page 1, line 3, after "commissioner" insert "and government-self insurance pools"

Page 1, line 3, remove "and"

Page 1, line 3, after "transfer" insert "and to provide a contingent effective date"

Page 2, after line 19, insert:

"SECTION 5. AMENDMENT. Section 26.1-23.1-02 of the North Dakota Century Code is amended and reenacted as follows:

26.1-23.1-02. Government self-insurance pools not insurers.

Any government self-insurance pool organized under chapter 32-12.1 is not an insurance company or insurer. The coverages provided by ~~such~~the pools and the administration of ~~such~~the pools do not constitute the transaction of insurance business. Participation in a government self-insurance pool under this chapter does not constitute a waiver of any existing immunities otherwise provided by the constitution or laws of this state. In all respects not specifically provided for under this chapter, a government self-insurance pool is subject to chapters 26.1-01, 26.1-02, 26.1-04, 26.1-25, and 26.1-26 relating to insurance companies generally.

SECTION 6. AMENDMENT. Section 26.1-23.1-06 of the North Dakota Century Code is amended and reenacted as follows:

26.1-23.1-06. Pool reserve records confidential - Open records.

1. Information regarding that portion of the funds or liability reserves of a government self-insured ~~government~~ pool established for purposes of satisfying a specific claim or cause of action is confidential. A person is not entitled to discover that portion of the funds or liability reserves established for purposes of satisfying a claim or cause of action, except that the reserve is discoverable in any supplementary or ancillary proceeding to enforce a judgment against the pool or a governmental entity participating in the pool.
2. Unless otherwise provided by law, a government self-insurance pool record, as defined under section 44-04-17.1, is subject to chapter 44-04."

Page 2, line 23, replace "5" with "7"

Page 2, line 23, remove "is contingent on the"

Page 2, line 24, replace "passage of" with "becomes effective on August 1, 2023, if"

Page 2, line 24, after "2295" insert "is approved"

Page 2 line 24, remove "If this section takes"

Page 2, remove line 25

Renumber accordingly