

January 26, 2023

PROPOSED AMENDMENTS TO SENATE BILL NO. 2282

Page 1, line 1, remove the second "and"

Page 1, line 1, after "28-01-25.1" insert ", and 32-12.1-10 and subsection 1 of section 32-12.2-04"

Page 1, line 3, after the second "abuse" insert "and the notice requirement of claims against the state"

Page 2, line 21, remove "in a public school"

Page 3, after line 9, insert:

"SECTION 4. AMENDMENT. Section 32-12.1-10 of the North Dakota Century Code is amended and reenacted as follows:

32-12.1-10. Statute of limitations.

1. An action brought under this chapter must be commenced within three years after the claim for relief has accrued.
2. If on August 1, 2023, a claim for relief that resulted from sexual assault, sexual abuse, or gross sexual imposition, is barred because of the time limitation under subsection 1, that claim is revived. A claim revived under this subsection must be commenced before August 1, 2025.

SECTION 5. AMENDMENT. Subsection 1 of section 32-12.2-04 of the North Dakota Century Code is amended and reenacted as follows:

1.
 - a. A person bringing a claim against the state or a state employee for an injury shall present to the director of the office of management and budget within one hundred eighty days after the alleged injury is discovered or reasonably should have been discovered a written notice stating the time, place, and circumstances of the injury, the names of any state employees known to be involved, and the amount of compensation or other relief demanded.
 - b. The time for giving the notice does not include the time during which a person injured is incapacitated by the injury from giving the notice. If the claim is one for death, the notice may be presented by the personal representative, surviving spouse, or next of kin within one year after the alleged injury resulting in the death.
 - c. The time for giving the notice is waived for a claim for relief that resulted from sexual assault, sexual abuse, or gross sexual imposition which is revived under subsection 3 of section 28-01-22.1."

Re-number accordingly