

**FIRST ENGROSSMENT**

**ENGROSSED HOUSE BILL NO. 1423**

Introduced by

Representatives Schreiber-Beck, Mitskog

Senator Luick

1 A BILL for an Act to amend and reenact subsection 5 of section 65-05-07 of the North Dakota  
2 Century Code, relating to benefits for adaptations to real estate and motor vehicles; and to  
3 provide for application.

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

5 **SECTION 1. AMENDMENT.** Subsection 5 of section 65-05-07 of the North Dakota Century  
6 Code is amended and reenacted as follows:

7 5. a. Under this section, the organization may modify real estate and may provide for  
8 adaptations and modifications to motor vehicles as follows:

9 a. In

10 (1) Except as provided in paragraph 3, in the case of an injured employee who  
11 sustained a catastrophic injury, as defined in chapter 65-05.1, the  
12 organization may pay an amount not to exceed ~~seventy-five thousand-~~  
13 ~~dollars~~ one hundred fifty thousand dollars, adjusted annually effective  
14 January first of each year after December 31, 2025, by the consumer price  
15 index, to provide permanent additions, remodeling, or adaptations to real  
16 estate it determines necessary. The dollar limit is for the life of the injured  
17 employee, regardless of any subsequent claim. This ~~subdivision~~ paragraph  
18 does not allow the organization to purchase any real estate.

19 b. In

20 (2) Except as provided in paragraph 3, in the case of an injured employee who  
21 sustained a catastrophic injury, as defined in chapter 65-05.1, the  
22 organization may pay an amount not to exceed ~~one hundred fifty thousand-~~

1                    ~~dollar~~two hundred thousand dollars, adjusted annually effective January  
2                    first of each year after December 31, 2025, by the consumer price index, to  
3                    provide the most cost-effective, specially equipped motor vehicle or vehicle  
4                    adaptations the organization determines medically necessary. The  
5                    organization may establish factors to be used in determining whether a  
6                    specially equipped motor vehicle or adaptation is necessary. Under this  
7                    ~~subdivision~~paragraph, the organization may not pay for insurance of or  
8                    maintenance of the motor vehicle. Within the dollar limit and under this  
9                    ~~subdivision~~paragraph, the organization may pay for vehicle or adaptation  
10                   replacement purchases. The dollar limit is for the life of the injured  
11                   employee, regardless of any subsequent claim.

12                   e. (3) In the case of an injured employee who has not sustained a catastrophic  
13                   injury, as defined in chapter 65-05.1, the organization may provide the  
14                   benefits under ~~subdivisions a and b~~paragraphs 1 and 2 if the organization  
15                   determines the benefits would be cost-effective and appropriate because of  
16                   exceptional circumstances as determined by the organization.

17                   b. For purposes of this subsection, "consumer price index" means the percentage  
18                   change in the consumer price index for all urban consumers in the midwest  
19                   region as determined by the United States department of labor, bureau of labor  
20                   statistics, for the most recent year ending December thirty-first. The organization  
21                   shall calculate the annual adjustments, rounded to the nearest five hundred  
22                   dollars, as soon as practicable at the end of each calendar year and apply the  
23                   adjusted amount retroactively to January first of the year.

24                   **SECTION 2. APPLICATION.** This Act applies to qualifying expenditures made on or after  
25                   the effective date of this Act.