

Sixty-ninth  
Legislative Assembly  
of North Dakota

## PROPOSED AMENDMENTS TO 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  
8 for adaptations and modifications to motor vehicles as follows:

9 a. In

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

19 b. In

1 ~~(2)~~ Except as provided in paragraph 3 subdivision c, in the case of an injured  
2 employee who sustained a catastrophic injury, as defined in chapter 65-05.1, the  
3 organization may pay an amount not to exceed ~~one hundred fifty thousand~~  
4 ~~dollar~~ two hundred thousand dollars, ~~adjusted annually effective January first of~~  
5 ~~each year after December 31, 2025, by the consumer price index~~, to provide the  
6 most cost-effective, specially equipped motor vehicle or vehicle adaptations the  
7 organization determines medically necessary. The organization may establish  
8 factors to be used in determining whether a specially equipped motor vehicle or  
9 adaptation is necessary. Under this subdivision paragraph, the organization may  
10 not pay for insurance of or maintenance of the motor vehicle. Within the dollar  
11 limit and under this subdivision paragraph, the organization may pay for vehicle or  
12 adaptation replacement purchases. The dollar limit is for the life of the injured  
13 employee, regardless of any subsequent claim.

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

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

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