

SENATE BILL NO. 2072

Introduced by

State and Local Government Committee

(At the request of the Office of Management and Budget)

1 A BILL for an Act to amend and reenact subsection 5 of section 32-12.2-15 of the North Dakota
2 Century Code, relating to contracts limiting liability to the state.

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

4 **SECTION 1. AMENDMENT.** Subsection 5 of section 32-12.2-15 of the North Dakota
5 Century Code is amended and reenacted as follows:

6 5. An agency may purchase routine or standardized products that contain adhesive
7 contract terms in shrink wrap documents, third-party end user license, or click-through
8 agreements that are not consistent with this section if the agency, in consultation with
9 the attorney general's office and the office of management and budget, determines the
10 purchase poses no reasonable risk that an improper contractual obligation will be
11 imposed against the agency or of loss that cannot be limited under this section given
12 the nature of the product's intended use, including data and system security. Routine
13 or standardized products are products that are commercially available to the public
14 which do not exceed ~~one thousand~~twenty thousand dollars in cost.