

PROPOSED AMENDMENTS TO

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 subdivision d, 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 ~~dollar~~two hundred thousand dollars, adjusted annually effective January
14 first of each year after December 31, 2025, by the consumer price index, to
15 provide permanent additions, remodeling, or adaptations to real estate it
16 determines necessary. The dollar limit is for the life of the injured employee,
17 regardless of any subsequent claim. This ~~subdivision~~paragraph does not
18 allow the organization to purchase any real estate.

19 b. ~~In~~

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

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

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

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