

Sixty-ninth
Legislative Assembly
of North Dakota

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

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

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

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

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