

CHAPTER 32-03.3
CHARITABLE ORGANIZATION IMMUNITY

32-03.3-01. Definitions.

As used in this chapter, unless the context otherwise requires:

1. "Charitable organization" means a nonprofit organization whose primary purpose is for relief of poor, disabled, underprivileged, or abused persons, support of youth and youth programs, or the prevention of abuse to children and vulnerable adults.
2. "Claim" means any claim for money damages brought against a charitable organization or an employee of the charitable organization for an injury caused by the charitable organization or an employee of the charitable organization acting within the scope of the employee's employment.
3. "Employee" means every present or former officer or employee of the charitable organization or any person acting on behalf of the charitable organization in an official capacity, temporarily or permanently, with or without compensation.
4. "Injury" means personal injury, death, or property damage.
5. "Occurrence" means an accident, including continuous or repeated exposure to a condition, which results in an injury.
6. "Personal injury" includes bodily injury, mental injury, sickness, or disease sustained by a person and injury to a person's rights or reputation.
7. "Property damage" includes injury to or destruction of tangible or intangible property.
8. "Scope of employment" means the employee was acting on behalf of the charitable organization in the performance of duties or tasks of the charitable organization assigned to the employee by the charitable organization.

32-03.3-02. Liability of charitable organizations - Limitations - Statute of limitations. (Effective through June 30, 2029)

1. A charitable organization may be only held liable for money damages for a personal injury or property damage proximately caused by the negligence or wrongful act or omission of an employee acting within the employee's scope of employment.
2. The liability of the charitable organization under this chapter is limited to a total of three hundred seventy-five thousand dollars per person and one million dollars for any number of claims arising from any single occurrence. The charitable organization may not be held liable, or be ordered to indemnify an employee held liable, for punitive or exemplary damages. The liability limits under this subsection must be adjusted annually as follows:
 - a. On July 1, 2025, a total of four hundred six thousand two hundred fifty dollars per person and one million six hundred twenty-five thousand dollars for any single occurrence.
 - b. On July 1, 2026, a total of four hundred thirty-seven thousand five hundred dollars per person and one million seven hundred fifty thousand dollars for any single occurrence.
 - c. On July 1, 2027, a total of four hundred sixty-eight thousand seven hundred fifty dollars per person and one million eight hundred seventy-five thousand dollars per occurrence.
3. An action brought under this chapter must be commenced within the period provided in chapter 28-01.

Liability of charitable organizations - Limitations - Statute of limitations. (Effective after June 30, 2029)

1. A charitable organization may be only held liable for money damages for a personal injury or property damage proximately caused by the negligence or wrongful act or omission of an employee acting within the employee's scope of employment.
2. The liability of the charitable organization under this chapter is limited to a total of five hundred thousand dollars per person and two million dollars for any number of claims

arising from any single occurrence. The charitable organization may not be held liable, or be ordered to indemnify an employee held liable, for punitive or exemplary damages.

3. An action brought under this chapter must be commenced within the period provided in chapter 28-01.