

HOUSE BILL NO. 1329

Introduced by

Representatives Jensen, Ekstrom, Kingsbury

Senators Christenson, Espegard

1 A BILL for an Act to provide immunity from suit for a financial institution or financial institution
2 employee that makes a good-faith report of suspected exploitation of a disabled or vulnerable
3 elderly adult; and to create and enact a new subsection to section 6-08.1-03 of the North
4 Dakota Century Code, relating to the disclosure by a financial institution of suspected
5 exploitation of a disabled or vulnerable elderly adult to a government agency or law
6 enforcement agency.

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

8 **SECTION 1.** A new subsection to section 6-08.1-03 of the North Dakota Century Code
9 is created and enacted as follows:

10 For purposes of reporting suspected exploitation of a disabled adult or vulnerable
11 elderly adult as defined by section 12.1-31-07. Nothing in this subsection may be
12 construed to impose upon a financial institution a duty to investigate an alleged or
13 suspected exploitation of a disabled adult or vulnerable elderly adult or to make
14 any report to a government agency or law enforcement agency.

15 **SECTION 2. Immunity from liability.** A financial institution or financial institution
16 employee participating in good faith in the making of a report of suspected exploitation of a
17 disabled adult or vulnerable elderly adult to a government agency or law enforcement agency,
18 assisting in an investigation of suspected exploitation of a disabled adult or vulnerable elderly
19 adult by a government agency or law enforcement agency, or furnishing information to a
20 government agency or law enforcement agency about suspected exploitation of a disabled
21 adult or vulnerable elderly adult is immune from any liability, civil or criminal, that might
22 otherwise result from reporting a suspected case of exploitation of a disabled adult or
23 vulnerable elderly adult. For purposes of any proceeding, civil or criminal, the good faith of a

Fifty-seventh
Legislative Assembly

- 1 financial institution making a report of suspected exploitation of a disabled adult or vulnerable
- 2 elderly adult to a government agency or law enforcement agency must be presumed.