

Introduced by

1 A BILL for an Act to amend and reenact section 65-01-15.1(1) of the North Dakota Century
2 Code, relating to the burden of proof under the workers' compensation firefighter's and law
3 enforcement officer's presumption.

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

5 **SECTION 1. AMENDMENT.** Section 65-01-15.1(1) is amended:

6 1. Any condition or impairment of health of a full-time paid firefighter or law
7 enforcement officer caused by lung or respiratory disease, hypertension, heart
8 disease, or an exposure to a bloodborne pathogen as defined by section
9 23-07.5-01 occurring in the course of employment, or occupational cancer in a
10 full-time paid firefighter, resulting in total or partial disability or death is presumed to
11 have been suffered in the line of duty. ~~The condition or impairment of health may~~
12 ~~not be attributed to any disease existing before that total or partial disability or~~
13 ~~death unless the contrary is shown by competent evidence. The presumption may~~
14 be rebutted by clear and convincing evidence the condition or impairment is not
15 work-related.