

Sixty-first
Legislative Assembly
of North Dakota

HOUSE BILL NO.

Introduced by

Representative Klemin

1 A BILL for an Act relating to notice and immunity for governmental entry on restricted entry
2 property due to a dangerous condition.

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

4 **SECTION 1. Notice of entry of dangerous property.** If a state or local governmental
5 official, employee or agent must enter property to perform a statutorily authorized or required
6 function or duty and has constructive or actual notice of restricted entry to the property due to a
7 dangerous condition, the governmental entity must provide the person owning or controlling the
8 property with not less than ten days written notice prior to entering the property stating the date
9 and time of entry except in instances of emergency or permission of the person owning or
10 controlling the property. The person owning or controlling the restricted property shall be held
11 harmless by the governmental entity entering the property from claims or damages for personal
12 injury or property damage arising from entry on the property, except for injury or property
13 damage caused by malicious or willful conduct or from negligent conduct after the person has
14 given permission for entry or received written notice of entry.