

**Sixty-first Legislative Assembly of North Dakota  
In Regular Session Commencing Tuesday, January 6, 2009**

SENATE BILL NO. 2144  
(Political Subdivisions Committee)  
(At the request of the State Auditor)

AN ACT to amend and reenact section 26.1-21-12 of the North Dakota Century Code, relating to claims against the bonding fund.

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

**SECTION 1. AMENDMENT.** Section 26.1-21-12 of the North Dakota Century Code is amended and reenacted as follows:

**26.1-21-12. Commissioner to notify state auditor of default of public employee or public official - Duty of state auditor.** If any public employee or public official defaults or creates a liability against the fund, the commissioner shall notify the state auditor. The state auditor ~~immediately~~ shall investigate, ~~or cause to be investigated,~~ the accounts of the public employee or public official and file a report with the commissioner stating any amount due from the fund because of the default or wrongful act. For these services, the auditor ~~or investigating firm~~ must be paid out of the fund ~~the same fees as the auditor is paid for auditing the accounts of county officers~~ all reasonable costs incurred.

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-first Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2144.

Senate Vote:    Yeas    46        Nays    0        Absent    1

House Vote:    Yeas    62        Nays    30       Absent    2

\_\_\_\_\_  
Secretary of the Senate

Received by the Governor at \_\_\_\_\_ M. on \_\_\_\_\_, 2009.

Approved at \_\_\_\_\_ M. on \_\_\_\_\_, 2009.

\_\_\_\_\_  
Governor

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 2009,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State