

SENATE BILL NO. 2313

Introduced by

Senators Magrum, Larson

Representative Christensen

1 A BILL ~~for an Act to create and enact a new subsection to section 32-15-22 of the North Dakota~~
2 ~~Century Code, relating to eminent domain and the assessment of damages.~~for an Act to provide
3 for a legislative management study regarding fair and just compensation and increased
4 damages in eminent domain proceedings.

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

6 ~~SECTION 1. A new subsection to section 32-15-22 of the North Dakota Century Code is~~
7 ~~created and enacted as follows:~~

8 ~~Following the assessment of damages by the trier of fact, the court shall increase the~~
9 ~~award by thirty-three percent and enter the judgment accordingly. The increase may~~
10 ~~not be considered by the trier of fact in the original assessment of damages.~~

11 **SECTION 1. LEGISLATIVE MANAGEMENT STUDY - FAIR AND JUST COMPENSATION**
12 **IN EMINENT DOMAIN PROCEEDINGS.** During the 2023-24 interim, the legislative
13 management shall consider studying fair and just compensation in all eminent domain
14 proceedings. The study must include the methods and factors used to determine fair and just
15 compensation and whether certain landowners should be entitled to increased damages for
16 certain projects, and if so, the extent of the increased damages. The legislative management
17 shall report its findings and recommendations, together with any legislation necessary to
18 implement the recommendations, to the sixty-ninth legislative assembly.