

Introduced by

State and Local Government Committee

(At the request of the Office of Management and Budget)

1 A BILL for an Act to create and enact subsection 5 of section 32-12.2-15 of the North Dakota
2 Century Code, relating to limitation of liability provisions contained within packaging or click-
3 through agreements for certain products.

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

5 **SECTION 1.** Subsection 5 of section 32-12.2-15 of the North Dakota Century Code is
6 created and enacted as follows:

7 5. An agency may purchase routine or standardized products that contain adhesive
8 contract terms in shrink wrap documents, third-party end user license, or click-through
9 agreements that are not consistent with this section if the agency, in consultation with
10 the attorney general's office and the office of management and budget, determines the
11 purchase poses no reasonable risk of loss that cannot be limited under this section
12 given the nature of the product's intended use, including data and system security.
13 Routine or standardized products are products that are commercially available to the
14 public which do not exceed one thousand dollars in cost.