

SECOND ENGROSSMENT

REENGROSSED HOUSE BILL NO. 1423

Introduced by

Representatives Schreiber-Beck, Mitskog

Senator Luick

1 A BILL for an Act to amend and reenact subsection 5 of section 65-05-07 of the North Dakota
2 Century Code, relating to benefits for adaptations to real estate and motor vehicles; and to
3 provide for application.

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

5 **SECTION 1. AMENDMENT.** Subsection 5 of section 65-05-07 of the North Dakota Century
6 Code is amended and reenacted as follows:

7 5. Under this section, the organization may modify real estate and may provide for
8 adaptations and modifications to motor vehicles as follows:

- 9 a. ~~In~~Except as provided in subdivision c, in the case of an injured employee who
10 sustained a catastrophic injury, as defined in chapter 65-05.1, the organization
11 may pay an amount not to exceed ~~seventy-five thousand dollars~~one hundred fifty
12 thousand dollars to provide permanent additions, remodeling, or adaptations to
13 real estate it determines necessary. The dollar limit is for the life of the injured
14 employee, regardless of any subsequent claim. This subdivision does not allow
15 the organization to purchase any real estate.
- 16 b. ~~In~~Except as provided in subdivision c, in the case of an injured employee who
17 sustained a catastrophic injury, as defined in chapter 65-05.1, the organization
18 may pay an amount not to exceed ~~one hundred fifty thousand dollars~~two hundred
19 thousand dollars to provide the most cost-effective, specially equipped motor
20 vehicle or vehicle adaptations the organization determines medically necessary.
21 The organization may establish factors to be used in determining whether a
22 specially equipped motor vehicle or adaptation is necessary. Under this

1 subdivision, the organization may not pay for insurance of or maintenance of the
2 motor vehicle. Within the dollar limit and under this subdivision, the organization
3 may pay for vehicle or adaptation replacement purchases. The dollar limit is for
4 the life of the injured employee, regardless of any subsequent claim.

- 5 c. In the case of an injured employee who has not sustained a catastrophic injury,
6 as defined in chapter 65-05.1, the organization may provide the benefits under
7 subdivisions a and b if the organization determines the benefits would be
8 cost-effective and appropriate because of exceptional circumstances as
9 determined by the organization.

10 **SECTION 2. APPLICATION.** This Act applies to qualifying expenditures made on or after
11 the effective date of this Act.