

SENATE BILL NO. 2310

Introduced by

Senators Magrum, Paulson

Representatives S. Olson, VanWinkle

1 A BILL for an Act to create and enact a new section to chapter 32-12.2 of the North Dakota
2 Century Code, relating to state reimbursement for the cost of claims; and to provide for
3 application.

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

5 **SECTION 1.** A new section to chapter 32-12.2 of the North Dakota Century Code is created
6 and enacted as follows:

7 **State reimbursement for cost of claims.**

- 8 1. Notwithstanding section 32-12.2-02, if a claimant prevails in a claim against the state,
9 the state shall reimburse the claimant for all reasonable court costs incurred, including
10 attorney's fees. The reimbursement is not an independent cause of action.
11 2. To obtain reimbursement, the claimant shall make a motion for reimbursement
12 following the verdict. If the court determines the claimant prevailed in the claim, the
13 court shall order the state to reimburse the claimant.

14 **SECTION 2. APPLICATION.** This Act applies to claims filed against the state after the
15 effective date of this Act.