

**Sixty-sixth Legislative Assembly of North Dakota
In Regular Session Commencing Thursday, January 3, 2019**

HOUSE BILL NO. 1123
(Representatives Schobinger, Kasper, Lefor, Mitskog)
(Senators Klein, Krebsbach, Mathern)

AN ACT to create and enact a new section to chapter 26.1-39 of the North Dakota Century Code, relating to property and casualty insurance risk rating; and to provide for application.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 26.1-39 of the North Dakota Century Code is created and enacted as follows:

Fire protection class - Dispute.

1. This section applies to an insurance policy issued or renewed to insure real property in this state.
2. Within thirty days following quoting, issuing, or renewing of the policy, the insured may assert a fire protection class which differs from the class identified by the insurer and the insurer shall implement this class. The insured shall present to the insurer a credible basis for the assertion supported by factual information.
3. Within ninety days following receipt of the assertion by an insured, the insurer may investigate the assertion and:
 - a. Change the fire protection class, effective from the date of issuance or renewal; or
 - b. Document the basis for the original class and implement the original class effective from the date of issuance or renewal.
4. After making a determination under subsection 3, the insurer shall inform the insured of the determination.

SECTION 2. APPLICATION. This Act applies to quoting, issuing, or renewing of insurance policies on and after the effective date of this Act.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-sixth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1123.

House Vote: Yeas 91 Nays 0 Absent 3

Senate Vote: Yeas 40 Nays 3 Absent 4

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2019.

Approved at _____ M. on _____, 2019.

Governor

Filed in this office this _____ day of _____, 2019,

at _____ o'clock _____ M.

Secretary of State