

HOUSE BILL NO. 1315

Introduced by

Representatives Tollefson, Wentz

1 A BILL for an Act to amend and reenact section 36-21.1-02 of the North Dakota Century Code,
2 relating to the abandonment of animals.

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

4 **SECTION 1. AMENDMENT.** Section 36-21.1-02 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **36-21.1-02. Overworking ~~of~~, mistreating, or abandoning animals.**

- 7 1. No person may overdrive, overload, torture, cruelly beat, neglect, or unjustifiably
8 injure, maim, mutilate, or kill any animal, or cruelly work any animal when unfit for
9 labor.
- 10 2. No person may deprive any animal over which ~~he~~ the person has charge or control
11 of necessary food, water, or shelter.
- 12 3. No person may keep any animal in any enclosure without exercise and wholesome
13 change of air.
- 14 4. No person may abandon any animal.
- 15 5. A person shall reclaim an animal within forty-eight hours of the agreed upon time
16 for termination of a boarding contract and pay all charges for boarding the animal.
- 17 6. No person may allow any maimed, sick, infirm, or disabled animal of which ~~he~~ the
18 person is the owner, or of which ~~he~~ the person has custody, to lie in any street,
19 road, or other public place for more than three hours after notice.
- 20 ~~6.~~ 7. No person may willfully instigate, or in any way further, any act of cruelty to any
21 animal or animals, or any act tending to produce such cruelty.
- 22 ~~7.~~ 8. No person may cage any animal for public display purposes unless the display
23 cage is constructed of solid material on three sides to protect the caged animal
24 from the elements, and unless the horizontal dimension of each side of the cage is

1 at least four times the length of the caged animal. ~~The provisions of this~~ This
2 subsection ~~de~~ does not apply to the North Dakota state fair association, to
3 agricultural fair associations, to any agricultural display of caged animals by any
4 political subdivision, or to district, regional, or national educational livestock or
5 poultry exhibitions. Zoos which have been approved by the health district or the
6 governing body of the political subdivision which has jurisdiction over the zoos are
7 exempt from ~~the provisions of~~ this subsection.

8 &- ~~Repealed by S.L. 1975, ch. 106, § 397.~~