

HOUSE BILL NO. 1338

Introduced by

Representatives Kerzman, Froelich, Kempenich

Senator Erbele

1 A BILL for an Act to amend and reenact sections 20.1-01-17, 20.1-01-18, 20.1-01-19, and
2 20.1-01-20 of the North Dakota Century Code, relating to hunting on private lands.

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

4 **SECTION 1. AMENDMENT.** Section 20.1-01-17 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **20.1-01-17. Posting of lands by owner or ~~tenant to prohibit hunting~~ lessee - How**
7 **posted - Signs ~~defaced~~ protected.** Only the owner or ~~tenant~~ lessee of any land may post it
8 by placing signs alongside the public highway or the land giving notice that ~~no~~ hunting is
9 permitted on the land. The name of the person posting the land must appear on each sign in
10 legible characters. The signs must be readable from the outside of the land and must be
11 placed conspicuously not more than eight hundred eighty yards [804.68 meters] apart. As to
12 land entirely enclosed by a fence or other enclosure, posting of signs at or on all gates through
13 the fence or enclosure constitutes a posting of all the enclosed land. ~~No~~ A person may ~~in any~~
14 ~~manner~~ not deface, take down, or destroy posting signs.

15 **SECTION 2. AMENDMENT.** Section 20.1-01-18 of the North Dakota Century Code is
16 amended and reenacted as follows:

17 **20.1-01-18. Hunting ~~on posted land~~ and trapping on private land without**
18 **permission unlawful - Penalty.** ~~No~~ Except as provided in section 20.1-01-19, a person may
19 ~~hunt or pursue game, or not enter for these purposes, upon legally posted~~ privately owned land
20 ~~belonging to another without first obtaining the~~ for the purpose of hunting or pursuing game
21 ~~unless permission of the person legally entitled to grant the same. No~~ is first obtained from the
22 owner or lessee of the land or unless the land is posted with signs giving notice that hunting is
23 permitted on the land. A person may not enter upon privately owned land for the purpose of
24 trapping protected fur-bearing animals without first gaining the written permission of the owner

1 or operator of that land. A person who violates this section is guilty of a class B misdemeanor
2 for the first offense and a class A misdemeanor for a subsequent offense within a two-year
3 period.

4 **SECTION 3. AMENDMENT.** Section 20.1-01-19 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **20.1-01-19. When ~~posted~~ land may be entered.** ~~Any~~ A person may enter upon
7 ~~legally posted~~ privately owned land that is not posted without first obtaining the permission of
8 the owner or lessee to recover game shot or killed on land where ~~the~~ that person had a lawful
9 right to hunt.

10 **SECTION 4. AMENDMENT.** Section 20.1-01-20 of the North Dakota Century Code is
11 amended and reenacted as follows:

12 **20.1-01-20. Entering ~~posted~~ land with gun or firearm prima facie evidence of**
13 **intent to hunt game.** Proof that a person having a firearm, or other weapon declared legal by
14 governor's proclamation, in ~~the~~ that person's possession entered upon the ~~legally posted~~
15 premises of another which are not posted without permission of the owner or ~~tenant~~ lessee is
16 prima facie evidence ~~the~~ that person entered to hunt or pursue game.