

Sixty-fourth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1304

Introduced by

Representatives K. Koppelman, Brabandt, Klemin, Olson, Paur

Senator Armstrong

1 A BILL for an Act create and enact a new section to chapter 12.1-01, a new section to chapter
2 14-10, and a new section to chapter 27-20 of the North Dakota Century Code, relating to the
3 presumption of an individual's legal date of birth.

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

5 **SECTION 1.** A new section to chapter 12.1-01 of the North Dakota Century Code is created
6 and enacted as follows:

7 **Presumption of age.**

8 1. In determining an individual's age for purposes of this title, the individual's date of birth
9 as provided by any of the following is presumed to be the individual's legal date of
10 birth:

11 a. The United States government in the form of a tribal identification document,
12 military identification, passport, passport card, permanent resident card,
13 certificate of United States citizenship, certificate of naturalization, border
14 crossing card, visa, or other entry document that includes the individual's date of
15 birth;

16 b. A state government in the form of a birth certificate or other state-issued
17 identification that includes the individual's date of birth; or

18 c. A foreign government in the form of a passport, driver's license, or other foreign
19 government-issued identity document that includes the individual's date of birth.

20 2. The presumption in subsection 1 may be rebutted by clear and convincing evidence to
21 the contrary.

22 **SECTION 2.** A new section to chapter 14-10 of the North Dakota Century Code is created
23 and enacted as follows:

1 **Presumption of age.**

2 1. In determining an individual's age for purposes of this chapter, the individual's date of
3 birth as provided by any of the following is presumed to be the individual's legal date
4 of birth:

5 a. The United States government in the form of a tribal identification document,
6 military identification, passport, passport card, permanent resident card,
7 certificate of United States citizenship, certificate of naturalization, border
8 crossing card, visa, or other entry document that includes the individual's date of
9 birth;

10 b. A state government in the form of a birth certificate or other state-issued
11 identification that includes the individual's date of birth; or

12 c. A foreign government in the form of a passport, driver's license, or other foreign
13 government-issued identity document that includes the individual's date of birth.

14 2. The presumption in subsection 1 may be rebutted by clear and convincing evidence to
15 the contrary.

16 **SECTION 3.** A new section to chapter 27-20 of the North Dakota Century Code is created
17 and enacted as follows:

18 **Presumption of age.**

19 1. In determining an individual's age for purposes of this chapter, the individual's date of
20 birth as provided by any of the following is presumed to be the individual's legal date
21 of birth:

22 a. The United States government in the form of a tribal identification document,
23 military identification, passport, passport card, permanent resident card,
24 certificate of United States citizenship, certificate of naturalization, border
25 crossing card, visa, or other entry document that includes the individual's date of
26 birth;

27 b. A state government in the form of a birth certificate or other state-issued
28 identification that includes the individual's date of birth; or

29 c. A foreign government in the form of a passport, driver's license, or other foreign
30 government-issued identity document that includes the individual's date of birth.

- 1 2. The presumption in subsection 1 may be rebutted by clear and convincing evidence to
- 2 the contrary.