

**Sixty-fourth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 6, 2015**

SENATE BILL NO. 2351
(Senators Wanzek, Miller, O'Connell)
(Representatives Headland, D. Johnson, Trottier)

AN ACT to create and enact section 10-06.1-12.1 of the North Dakota Century Code, relating to the ownership or leasing of farm and ranch land by corporations.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. Section 10-06.1-12.1 of the North Dakota Century Code is created and enacted as follows:

10-06.1-12.1. Ownership or leasing of land by corporations - Exceptions.

1. This chapter does not apply to the ownership or leasing of land used for the operation of a dairy farm by a domestic corporation or a limited liability company and does not prohibit the operation of a dairy farm by a domestic corporation or a limited liability company, provided:
 - a. The land owned or leased for the authorized purpose does not exceed six hundred forty acres [258.99 hectares];
 - b. The dairy farm is operational within three years from the date the land is acquired; and
 - c. The dairy farm is permitted as an animal feeding operation or as a concentrated animal feeding operation by the state department of health and consists of at least fifty cows.
2. This chapter does not apply to the ownership or leasing of land used for the operation of a swine production facility by a domestic corporation or a limited liability company and does not prohibit the operation of a swine production facility by a domestic corporation or a limited liability company, provided:
 - a. The land owned or leased for the authorized purpose does not exceed six hundred forty acres [258.99 hectares];
 - b. The swine production facility is operational within three years from the date the land is acquired; and
 - c. The swine production facility is permitted as an animal feeding operation or as a concentrated animal feeding operation by the state department of health and consists of at least five hundred swine.
3. The agriculture commissioner shall by rule develop reporting and monitoring requirements to ensure compliance with this section.
4.
 - a. If the agriculture commissioner determines that a domestic corporation or a limited liability company is not operating within the exceptions provided by this section, the commissioner shall notify the secretary of state and the attorney general.
 - b. A domestic corporation or a limited liability company that is not operating within the exceptions provided by this section is subject to the enforcement provisions of this chapter.

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-fourth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2351.

Senate Vote: Yeas 29 Nays 16 Absent 2

House Vote: Yeas 56 Nays 37 Absent 1

Secretary of the Senate

Received by the Governor at _____ M. on _____, 2015.

Approved at _____ M. on _____, 2015.

Governor

Filed in this office this _____ day of _____, 2015,

at _____ o'clock _____ M.

Secretary of State