## Sixty-fifth Legislative Assembly of North Dakota In Regular Session Commencing Tuesday, January 3, 2017

HOUSE BILL NO. 1348 (Representatives D. Anderson, Boschee, C. Johnson, M. Nelson, Schmidt) (Senators Bekkedahl, Dotzenrod, Klein, Oban, Piepkorn, Vedaa)

AN ACT to amend and reenact section 36-21.2-05 of the North Dakota Century Code, relating to the seizure of animals.

## BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

**SECTION 1. AMENDMENT.** Section 36-21.2-05 of the North Dakota Century Code is amended and reenacted as follows:

## 36-21.2-05. Seizure of animal - Court order.

- 1. A law enforcement officer, upon a recommendation from a licensed veterinarian approved by the board of animal health, may petition the court for an order directing the seizure of any animal believed to have been neglected, abused, treated cruelly, or subjected to any act or omission in violation of this chapter.
- 2. The court, upon a recommendation from a licensed veterinarian approved by the board of animal health, may act without notice to the animal's owner or to the person having custody or control of the animal and may rely solely on testimony or an affidavit in considering the petition.
- 3. In the order for seizure, the court may direct that a veterinarian humanely destroy an animal if the veterinarian, upon examining the animal, determines that the animal is experiencing excruciating pain or suffering and that the animal's pain or suffering is not likely to be alleviated using reasonable medical interventions.

## H. B. NO. 1348 - PAGE 2

	Speaker of the House			President of the Senate	
	Chief C	elerk of the House		Secretary of the Senate	
This certifies the Assembly of No	nat the within bi orth Dakota and	ll originated in the is known on the r	House of Repre	esentatives of the Sixty ody as House Bill No. 1	/-fifth Legislative 348.
House Vote:	Yeas 82	Nays 9	Absent 3		
Senate Vote:	Yeas 45	Nays 0	Absent 2		
				Chief Clerk of the Ho	ouse
Received by the Governor atM. on					, 2017.
Approved atM. on					, 2017.
				Governor	
Filed in this office thisday of					, 2017,
at o'	clock	М.			
				Secretary of State	