

**SENATE BILL NO. 2216
with House Amendments
SENATE BILL NO. 2216**

Introduced by

Senators Luick, Klein, Lemm, Myrdal

Representatives D. Johnson, Trottier

1 A BILL for an Act to amend and reenact subdivision d of subsection 1 of section 58-03-11.1 of
2 the North Dakota Century Code, relating to the definition of location for animal feeding
3 operations; and to declare an emergency.

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

5 **SECTION 1. AMENDMENT.** Subdivision d of subsection 1 of section 58-03-11.1 of the
6 North Dakota Century Code is amended and reenacted as follows:

7 d. "Location" means the setback distance between a structure, fence, or other
8 boundary enclosing an animal feeding operation, including its animal waste
9 collection system, and the nearest occupied residence, the nearest buildings
10 used for nonfarm or nonranch purposes, or the nearest land zoned ~~for~~ as a
11 residential, recreational, or commercial ~~purpose~~ zoning district. The term does
12 not include the setback distance for the application of manure or for the
13 application of other recycled agricultural material under a nutrient management
14 plan approved by the department of environmental quality.

15 **SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure.