

**HOUSE BILL NO. 1364**

Introduced by

Representatives S. Olson, Holle, Satrom

Senator Magrum

1 A BILL for an Act to amend and reenact section 42-03-01 of the North Dakota Century Code,  
2 relating to dogs as a public nuisance.

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

4 **SECTION 1. AMENDMENT.** Section 42-03-01 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **42-03-01. When dogs are a public nuisance.**

7 Any dog that habitually ~~molests a person~~ harasses an individual traveling peaceably on the  
8 public road or street ~~is~~ may be considered a public nuisance. Any dog outside the property of the  
9 dog's owner which enters the property of another without the permission of the property owner,  
10 and subsequently harasses individuals who are lawful entrants on the property, may be  
11 considered a public nuisance. If a dog enters a property and the dog's owner is unknown, it is  
12 presumed to have entered that property without permission of the property's owner. Upon  
13 written complaint to a district or municipal judge describing the dog, giving the name of the dog  
14 and the dog's owner if known, and, if not, so stating, and alleging that the dog is a public  
15 nuisance, the district or municipal judge shall give notice to the dog's owner that a complaint  
16 has been filed that the dog has been ~~molesting~~ harassing certain persons and that the owner  
17 shall take the necessary action to prevent the dog from any further violations of this chapter. If  
18 the district or municipal judge receives a further complaint regarding the dog after notice has  
19 been given under this section, the judge shall issue a summons, if the owner is known,  
20 commanding the owner to appear before the judge in the same manner as other court  
21 summonses.