

**SENATE BILL NO. 2331**

Introduced by

Senators Erbele, Olafson, Wanzek

Representatives Belter, Heller, Onstad

1 A BILL for an Act to create and enact a new section to chapter 23-01 of the North Dakota  
2 Century Code, relating to authority of the state department of health to regulate health and  
3 environmental impacts of animal feeding and agricultural operations.

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

5 **SECTION 1.** A new section to chapter 23-01 of the North Dakota Century Code is  
6 created and enacted as follows:

7 **State department of health - Regulation of environmental and health impacts of**  
8 **animal feeding and agricultural operations.** The state department of health is responsible  
9 for regulating water pollution, air pollution, solid waste, and any associated environmental and  
10 health impacts from animal feeding and agricultural operations as provided in chapters 23-20.3,  
11 23-25, 23-29, and 61-28. Counties and townships are responsible for zoning regulations that  
12 are limited to the nature, scope, and location of animal feeding operations and the location of  
13 agricultural operations. For purposes of this section, "scope" means the number of animal units  
14 held or housed in a concentrated feeding operation and "nature" means the type or kind of  
15 livestock held or housed in a concentrated feeding operation. Counties and townships may not  
16 adopt or enact any water pollution, air pollution, solid waste, or any associated environmental or  
17 health laws, ordinances, or regulations for animal feeding or agricultural operations.