

Sixty-eighth  
Legislative Assembly  
of North Dakota

## ENGROSSED HOUSE BILL NO. 1474

Introduced by

Representatives S. Olson, D. Anderson, Christensen, Kasper, Koppelman, Prichard, Steiner  
Senator Boehm

1 A BILL for an Act to ~~create and enact a new section to chapter 23-02.1 of the North Dakota~~  
2 ~~Century Code, relating to vital statistic collection; and to~~ amend and reenact section 1-01-49  
3 ~~and subsection 7 of section 51-35-01~~ of the North Dakota Century Code, relating to the  
4 definition of ~~father, female, male, mother, and sex,~~ and scrap metal dealer.

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

6 **SECTION 1. AMENDMENT.** Section 1-01-49 of the North Dakota Century Code is amended  
7 and reenacted as follows:

8 **1-01-49. Other general definitions.**

9 As used in this code, unless the context otherwise requires or unless otherwise defined:

10 1. "Depose" includes every mode of written statement under oath or affirmation.

11 2. "Executor" includes administrator and "administrator" includes executor.

12 3. ~~"Father" means a parent of the male sex.~~

13 ~~4.~~ "Female" means a girl, woman, or an individual whose biological reproductive system  
14 is developed to produce ova.

15 ~~5.4.~~ "Individual" means a human being.

16 ~~6.5.~~ "Male" means a boy, man, or an individual whose biological reproductive system is  
17 developed to fertilize the ova of a female produce sperm.

18 ~~7.~~ "Mother" means parent of the female sex.

19 ~~4.8.6.~~ "Oath" includes "affirmation".

20 ~~5.9.7.~~ "Organization" includes a foreign or domestic association, business trust, corporation,  
21 enterprise, estate, joint venture, limited liability company, limited liability partnership,  
22 limited partnership, partnership, trust, or any legal or commercial entity.

23 ~~6.10.8.~~ "Partnership" includes a limited liability partnership registered under chapter 45-22.

24 ~~7.11.9.~~ "Penitentiary" includes any affiliated facilities.

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1 | ~~8.12.10.~~ "Person" means an individual, organization, government, political subdivision, or  
2 | government agency or instrumentality.

3 | ~~9.13.11.~~ "Personal property" includes money, goods, chattels, things in action, and evidences  
4 | of debt.

5 | ~~10.14.12.~~ "Preceding" and "following" when used by way of reference to a chapter or  
6 | other part of a statute means the next preceding or next following chapter or other  
7 | part.

8 | ~~11.15.13.~~ "Primary sector business" means an individual, corporation, limited liability company,  
9 | partnership, or association certified by the department of commerce division of  
10 | economic development and finance which through the employment of knowledge or  
11 | labor adds value to a product, process, or service which results in the creation of new  
12 | wealth.

13 | For purposes of this subsection, "new wealth" means revenues generated by a  
14 | business in this state through the sale of products or services to:

- 15 | a. Customers outside of this state; or  
16 | b. Customers in this state if the products or services were previously unavailable or  
17 | difficult to obtain from a business in this state.

18 | ~~12.16.14.~~ "Process" means a writ or summons issued in the course of judicial  
19 | proceedings.

20 | ~~13.17.15.~~ "Property" includes property, real and personal.

21 | ~~14.18.16.~~ "Real property" shall be coextensive with lands, tenements, and hereditaments.

22 | ~~15.19.17.~~ "Rule" includes regulation.

23 | ~~16.20.18.~~ "Sex" means the biological state of being male or female, based on the  
24 | individual's nonambiguous sex organs, chromosomes, and/or endogenous hormone  
25 | profiles at birth.

26 | ~~21.19.~~ "Signature" or "subscription" includes "mark" when the person cannot write, the  
27 | person's name being written near it and written by a person who writes that person's  
28 | own name as a witness.

29 | ~~17.22.20.~~ "State" when applied to the different parts of the United States, includes the  
30 | District of Columbia and the territories.

31 | ~~18.23.21.~~ "Testify" includes every mode of oral statement under oath or affirmation.

- 1 ~~19-24-22.~~ "United States" includes the District of Columbia and the territories.  
2 ~~20-25-23.~~ "Will" includes codicils.  
3 ~~21-26-24.~~ "Writ" means an order or precept in writing, issued in the name of the state or  
4 of a court or judicial officer.

5 ~~— SECTION 2. A new section to chapter 23-02.1 of the North Dakota Century Code is created~~  
6 ~~and enacted as follows:~~

7 ~~— Vital statistics collection.~~

8 ~~— A school district or state agency or state department collecting vital statistics to comply with~~  
9 ~~a nondiscrimination law or to gather accurate public health, criminal, economic, or other data~~  
10 ~~shall identify each individual in the collected data set as either male or female, based solely on~~  
11 ~~the individual's nonambiguous sex organs, chromosomes, and endogenous hormone profiles at~~  
12 ~~birth.~~

13 **SECTION 2. AMENDMENT.** Subsection 7 of section 51-35-01 of the North Dakota Century  
14 Code is amended and reenacted as follows:

- 15 7. "Scrap metal dealer" means a person, as defined in ~~subsection 8 of~~ section 1-01-49,  
16 engaged in the business of purchasing, selling, trading, or bartering scrap metal, and  
17 includes all employees of the scrap metal dealer.