

**SENATE BILL NO. 2372**

Introduced by

Senators O'Connell, Andrist, Traynor

Representatives Gerntholz, Martin, Nicholas

1 A BILL for an Act to amend and reenact section 24-07-03 of the North Dakota Century Code,  
2 relating to section lines as public roads.

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

4 **SECTION 1. AMENDMENT.** Section 24-07-03 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **24-07-03. Section lines considered open for public roads travel - Closing same**  
7 **under certain conditions.** In all townships in this state, outside the limits of incorporated  
8 cities, and outside platted townsites, additions, or subdivisions recorded pursuant to sections  
9 40-50.1-01 through 40-50.1-17 or recorded prior to July 1, 1987, under former chapter 40-50,  
10 the congressional section lines are considered open for public roads, open travel to the width of  
11 thirty-three feet [10.06 meters] on each side of ~~such~~ the section lines.

12 The board of county commissioners, if petitioned by a person having an interest in the  
13 adjoining land or a portion thereof, ~~is authorized~~, after public hearing and a finding by the  
14 commissioners of public benefit, ~~to~~ may close section ~~line roads~~ lines or portions thereof which  
15 are not used for ten years, are not traveled due to natural obstacles or difficulty of terrain, are  
16 not required due to readily accessible alternate routes of travel, or are intersected by interstate  
17 highways causing ~~such~~ the section line ~~road~~ to be a dead end, providing the closing of ~~such~~ the  
18 dead end section line ~~road~~ does not deprive adjacent ~~landowner~~ landowners access to ~~his~~ the  
19 landowners' property. After ~~such~~ the section ~~line roads~~ lines are closed, they may be ~~leveled~~  
20 ~~and farmed by~~ used to the benefit of the adjacent landowners or tenants, only if the leveling or  
21 ~~farming does not disturb, remove, or destroy any.~~ However, survey or property reference  
22 ~~monument. However, if monuments may not be disturbed, removed, or destroyed. If drainage~~  
23 is interfered with due to the farming operations, alternate means of drainage must be provided  
24 for by the landowners or tenants farming ~~such~~ the lands.