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FIRST ENGROSSMENT

Sixty-fourth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1304

Introduced by

Representatives K. Koppelman, Brabandt, Klemin, Olson, Paur

Senator Armstrong

1   A BILL for an Act create and enact a new section to chapter 12.1-01, a new section to chapter

2   14-10, and a new section to chapter 27-20 of the North Dakota Century Code, relating to the

3   presumption of an individual's legal date of birth.

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

5   **SECTION 1.** A new section to chapter 12.1-01 of the North Dakota Century Code is created

6   and enacted as follows:

7   **Presumption of age.**

8   1.   In determining an individual's age for purposes of this title, the individual's date of birth

9   as provided by any of the following is presumed to be the individual's legal date of

10   birth:

11   a.   The United States government in the form of a tribal identification document,

12   military identification, passport, passport card, permanent resident card,

13   certificate of United States citizenship, certificate of naturalization, border

14   crossing card, visa, or other entry document that includes the individual's date of

15   birth;

16   b.   A state government in the form of a birth certificate or other state-issued

17   identification that includes the individual's date of birth; or

18   c.   A foreign government in the form of a passport, driver's license, or other foreign

19   government-issued identity document that includes the individual's date of birth.

20   2.   The presumption in subsection 1 may be rebutted by clear and convincing evidence to

21   the contrary.

22   **SECTION 2.** A new section to chapter 14-10 of the North Dakota Century Code is created

23   and enacted as follows:

1   **Presumption of age.**

2   1.   In determining an individual's age for purposes of this chapter, the individual's date of

3   birth as provided by any of the following is presumed to be the individual's legal date

4   of birth:

5   a.   The United States government in the form of a tribal identification document,

6   military identification, passport, passport card, permanent resident card,

7   certificate of United States citizenship, certificate of naturalization, border

8   crossing card, visa, or other entry document that includes the individual's date of

9   birth;

10   b.   A state government in the form of a birth certificate or other state-issued

11   identification that includes the individual's date of birth; or

12   c.   A foreign government in the form of a passport, driver's license, or other foreign

13   government-issued identity document that includes the individual's date of birth.

14   2.   The presumption in subsection 1 may be rebutted by clear and convincing evidence to

15   the contrary.

16   **SECTION 3.** A new section to chapter 27-20 of the North Dakota Century Code is created

17 and enacted as follows:

18   **Presumption of age.**

19   1.   In determining an individual's age for purposes of this chapter, the individual's date of

20   birth as provided by any of the following is presumed to be the individual's legal date

21   of birth:

22   a.   The United States government in the form of a tribal identification document,

23   military identification, passport, passport card, permanent resident card,

24   certificate of United States citizenship, certificate of naturalization, border

25   crossing card, visa, or other entry document that includes the individual's date of

26   birth;

27   b.   A state government in the form of a birth certificate or other state-issued

28   identification that includes the individual's date of birth; or

29   c.   A foreign government in the form of a passport, driver's license, or other foreign

30   government-issued identity document that includes the individual's date of birth.

1   2.   The presumption in subsection 1 may be rebutted by clear and convincing evidence to

2   the contrary.