

**HOUSE BILL NO. 1208**

Introduced by

Representatives D. Johnson, Boschee, Kempenich, Trottier

Senators Dotzenrod, Erbele, O. Larsen, Luick, Wanzek

1 A BILL for an Act to amend and reenact section 4.1-73-18 of the North Dakota Century Code,  
2 relating to livestock bills of sale; and to provide a penalty.

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

4 **SECTION 1. AMENDMENT.** Section 4.1-73-18 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **4.1-73-18. Bill of sale - Copy with shipment - Effect - Penalty.**

7 1. a. Except as provided in subsection 2, a person may not sell any livestock carrying  
8 a recorded brand unless the seller is the owner of the recorded brand and  
9 delivers a bill of sale for the livestock to the purchaser. The bill of sale must  
10 include:

11 (1) The date;

12 (2) The name, address, and signature of the seller;

13 (3) The name, address, and signature of an individual who is at least eighteen  
14 years of age and who can verify the name and signature of the seller;

15 (4) The name and address of the buyer;

16 (5) The total number of animals sold;

17 (6) A description of each animal sold as to sex and color; and

18 (7) A depiction of the recorded brand.

19 b. The seller must deliver a bill of sale to the purchaser within fifteen days of the  
20 date of the sale.

21 c. The buyer shall retain the bill of sale for as long as the buyer owns any animals  
22 described in the bill of sale.

- 1           e.d. The seller shall provide a copy of the bill of sale to the individual hauling the  
2           livestock. The individual shall ensure that the document remains with the  
3           livestock while in transit.
- 4           d.e. The bill of sale or a copy of the bill of sale must be shown by the possessor on  
5           demand to any law enforcement officer or brand inspector.
- 6           e.f. The bill of sale is prima facie evidence of the sale of the livestock described in the  
7           bill of sale.
- 8           2. Subsection 1 does not apply to the sale of livestock for which a brand inspector has  
9           issued a certificate of ownership.
- 10          3. Any person willfully violating this section is guilty of a class B misdemeanor for a first  
11          offense and a class A misdemeanor for a second or subsequent offense.