

**Sixty-fifth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 3, 2017**

HOUSE BILL NO. 1208
(Representatives D. Johnson, Boschee, Kempenich, Trottier)
(Senators Dotzenrod, Erbele, O. Larsen, Luick, Wanzek)

AN ACT to amend and reenact section 4.1-73-18 of the North Dakota Century Code, relating to livestock bills of sale; and to provide a penalty.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

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

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

1. a. Except as provided in subsection 2, a person may not sell any livestock carrying a recorded brand unless the seller is the owner of the recorded brand and delivers a bill of sale for the livestock to the purchaser. The bill of sale must include:
 - (1) The date;
 - (2) The name, address, and signature of the seller;
 - (3) The name, address, and signature of an individual who is at least eighteen years of age and who can verify the name and signature of the seller;
 - (4) The name and address of the buyer;
 - (5) The total number of animals sold;
 - (6) A description of each animal sold as to sex and color; and
 - (7) A depiction of the recorded brand.
 - b. The seller must deliver a bill of sale to the purchaser within fifteen days of the date of the sale.
 - c. The buyer shall retain the bill of sale for as long as the buyer owns any animals described in the bill of sale.
 - e.d. The seller shall provide a copy of the bill of sale to the individual hauling the livestock. The individual shall ensure that the document remains with the livestock while in transit.
 - d.e. The bill of sale or a copy of the bill of sale must be shown by the possessor on demand to any law enforcement officer or brand inspector.
 - e.f. The bill of sale is prima facie evidence of the sale of the livestock described in the bill of sale.
2. Subsection 1 does not apply to the sale of livestock for which a brand inspector has issued a certificate of ownership.
 3. Any person willfully violating this section is guilty of a class B misdemeanor for a first offense and a class A misdemeanor for a second or subsequent offense.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-fifth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1208.

House Vote: Yeas 93 Nays 0 Absent 1

Senate Vote: Yeas 45 Nays 0 Absent 2

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2017.

Approved at _____ M. on _____, 2017.

Governor

Filed in this office this _____ day of _____, 2017,

at _____ o'clock _____ M.

Secretary of State