

HOUSE BILL NO. 1342

Introduced by

Representatives D. Johnson, Boschee, Monson, Schreiber-Beck

Senators Luick, Oban, Piepkorn

1 A BILL for an Act to amend and reenact sections 4.1-16-05, 4.1-16-09, and 4.1-16-11 of the
2 North Dakota Century Code, relating to beekeeping.

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

4 **SECTION 1. AMENDMENT.** Section 4.1-16-05 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **4.1-16-05. License - Grounds for denial.**

7 1. The agriculture commissioner may suspend, revoke, or refuse to grant a license to any
8 person who:

9 ~~1.~~ a. Has repeatedly violated this chapter;

10 ~~2.~~ b. Failed to pay an adjudicated civil penalty for violating this chapter, within thirty
11 days after a final determination that the civil penalty is owed; or

12 ~~3.~~ c. Provided false or misleading information in connection with any application or
13 notification required by this chapter.

14 2. Any person denied a license under this section may request a hearing before the
15 commissioner within thirty days after the date of the denial.

16 **SECTION 2. AMENDMENT.** Section 4.1-16-09 of the North Dakota Century Code is
17 amended and reenacted as follows:

18 **4.1-16-09. Identification of apiary.**

19 1. A beekeeper shall identify each apiary for which the beekeeper is responsible by:

20 a. Affixing a three-digit identification number, assigned by the agriculture
21 commissioner, ~~to the uppermost box of a hive~~ that is prominently displayed and
22 visible upon approach to the apiary's main entrance, provided each digit is at
23 least three inches [7.62 centimeters] high, one-half inch [1.27 centimeters] wide,
24 and weather-resistant; and

1 b. Displaying the beekeeper's name and phone number in a location that is
2 prominently displayed and visible upon approach to the apiary's main entrance,
3 provided the numbers and letters used are at least one and one-half inches [3.81
4 centimeters] high and weather-resistant.

5 2. Any apiary that is not identified, as required by this section, may be subject to seizure
6 by the commissioner.

7 **SECTION 3. AMENDMENT.** Section 4.1-16-11 of the North Dakota Century Code is
8 amended and reenacted as follows:

9 **4.1-16-11. Confiscation and disposal.**

10 Except as provided for in section 4.1-16-10, the agriculture commissioner or a law
11 enforcement officer may confiscate bees, hives, or beekeeping equipment, being transported or
12 maintained in violation of this chapter. Any bees, hives, or beekeeping equipment, confiscated
13 under this section, must be disposed of pursuant to a court order or an administrative order
14 issued by the commissioner, unless the beekeeper or other responsible person appears to
15 claim the property and pay any costs incurred by the commissioner due to the confiscation and
16 any civil penalties imposed under this section.