

**Sixty-sixth Legislative Assembly of North Dakota
In Regular Session Commencing Thursday, January 3, 2019**

HOUSE BILL NO. 1412
(Representatives Tveit, Fegley, C. Johnson, Laning)
(Senators Myrdal, Osland, Unruh)

AN ACT to amend and reenact sections 20.1-01-08 and 20.1-05-04 of the North Dakota Century Code, relating to hunting predators at night with artificial light, digital night vision, thermal vision, or infrared light.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 20.1-01-08 of the North Dakota Century Code is amended and reenacted as follows:

20.1-01-08. Hunting with artificial light prohibited - Exception.

It is unlawful for an individual to pursue, shoot, kill, take, or attempt to take any wildlife between sunset of one day and sunrise of the next, with the aid of a spotlight or any other artificial light. ~~This section does not make it unlawful for an~~ except:

1. ~~An individual or the individual's agent to may use a lantern, spotlight, night vision, thermal vision, infrared light, or other artificial light to assist the person individual in pursuing and shooting on the person's individual's premises any coyote, fox, skunk, mink, raccoon, beaver, weasel, owl, rabbit, or other predatory animal or bird, attacking and attempting to destroy the person's individual's poultry, livestock, or other property. It is permissible to; and~~
2. ~~An individual may use an artificial light, night vision, thermal vision, or infrared light with a power source of not more than six volts while hunting afoot for coyote, fox, raccoon, or beaver during the open season on the animal. AThe artificial light must produce a red, green, or amber filter must be placed on any artificial light color when used in the hunting of coyote, fox, raccoon, or beaver, except when taking a raccoon treed or at bay.~~

SECTION 2. AMENDMENT. Section 20.1-05-04 of the North Dakota Century Code is amended and reenacted as follows:

20.1-05-04. Using certain animals and artificial lights in taking big game unlawful.

~~No person, to hunt, pursue, kill, take, or attempt~~ While hunting, pursuing, killing, taking, or attempting to take, or to aid in the hunting or taking of, any big game animal, an individual may not:

1. Use any animal except horses or mules.
2. Use any artificial light, including ~~spotlights and a~~ spotlight or automobile and/or motorcycle headlights ~~headlight~~.
3. Engage in the practice commonly known as shining for deer. An individual who shines ~~any~~ an area commonly frequented by big game animals with any artificial light, between the hours of sunset and sunrise, is in violation of this section. However, an individual may use a ~~flashlight~~ an artificial light, night vision, thermal vision, or infrared light with a power source of ~~not over more than~~ not more than six volts in the area while hunting afoot to take coyote, fox, raccoon, or beaver.

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-sixth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1412.

House Vote: Yeas 88 Nays 1 Absent 5

Senate Vote: Yeas 45 Nays 1 Absent 1

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2019.

Approved at _____ M. on _____, 2019.

Governor

Filed in this office this _____ day of _____, 2019,

at _____ o'clock _____ M.

Secretary of State