

HOUSE BILL NO. 1113

Introduced by

Representatives Thomas, Brandenburg, J. Nelson

Senator Klein

1 A BILL for an Act to create and enact a new section to chapter 20.1-01 of the North Dakota
2 Century Code, relating to obtaining a landowner's permission before baiting; to amend and
3 reenact subsection 3 of section 12.1-31-14 of the North Dakota Century Code, relating to trail
4 cameras; and to provide a penalty.

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

6 **SECTION 1. AMENDMENT.** Subsection 3 of section 12.1-31-14 of the North Dakota
7 Century Code is amended and reenacted as follows:

8 3. An individual is guilty of an infraction if the individual enters upon another's property
9 and installs any device for observing, recording, or photographing wildlife while the
10 owner of the device is absent unless:

11 a. ~~Without~~The individual has written permission from the owner or occupant of the
12 property; ~~or~~and

13 b. ~~If the~~The device does not havehas a permanently affixed metal or plastic tag with
14 a registration number issued by the game and fish department, or the individual's
15 name, address, and telephone number.

16 **SECTION 2.** A new section to chapter 20.1-01 of the North Dakota Century Code is created
17 and enacted as follows:

18 **Permission required for baiting - Penalty.**

19 Without permission from the owner or occupant of the property, an individual may not enter
20 upon another person's property and intentionally place bait to attract or manipulate the behavior
21 of wildlife. An individual's first violation of this section is a class 1 noncriminal offense. An
22 individual's second or subsequent violation of this section is an infraction for which a fine of two
23 hundred fifty dollars must be imposed. If an individual is guilty of a second or subsequent
24 offense under this section, the court shall suspend an individual's hunting, trapping, and fishing

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- 1 privileges for one year under section 20.1-01-26. If the individual waives a court hearing for a
- 2 second or subsequent violation of this section, the director shall suspend the individual's
- 3 hunting, trapping, and fishing privileges for one year.