

Fifty-fifth  
Legislative Assembly  
of North Dakota

**HOUSE BILL NO. 1132**

Introduced by

Natural Resources Committee

(At the request of the North Dakota Geological Survey)

1 A BILL for an Act to amend and reenact subsection 7 of section 38-12-01 and subsection 10 of  
2 section 38-15-02 of the North Dakota Century Code, relating to the definition of subsurface  
3 minerals.

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

5 **SECTION 1. AMENDMENT.** Subsection 7 of section 38-12-01 of the North Dakota  
6 Century Code is amended and reenacted as follows:

7 7. "Subsurface minerals" means ~~and includes~~ all naturally occurring elements, and  
8 their compounds, volcanic ash, precious metals, carbonates, and natural mineral  
9 salts of boron, bromine, calcium, fluorine, helium, iodine, lithium, magnesium,  
10 nitrogen, phosphorus, potassium, sodium, thorium, uranium, and sulfur, and their  
11 compounds, but does not include sand and gravel and rocks crushed for sand and  
12 gravel.

13 **SECTION 2. AMENDMENT.** Subsection 10 of section 38-15-02 of the 1995  
14 Supplement to the North Dakota Century Code is amended and reenacted as follows:

15 10. "Subsurface minerals" means all naturally occurring elements and their  
16 compounds, volcanic ash, precious metals, carbonates, and natural mineral salts  
17 of boron, bromine, calcium, fluorine, helium, iodine, lithium, magnesium, nitrogen,  
18 phosphorus, potassium, sodium, thorium, uranium, and sulfur, and their  
19 compounds, ~~occurring more than five hundred feet [152.4 meters] below the~~  
20 ~~surface of the land~~ but does not include sand and gravel and rocks crushed for  
21 sand and gravel.