

SENATE BILL NO. 2372  
with House AmendmentsFifty-fifth  
Legislative Assembly  
of North Dakota

## SENATE BILL NO. 2372

Introduced by

Senators O'Connell, Andrist, Traynor

Representatives Gerntholz, Martin, Nicholas

1 A BILL for an Act to amend and reenact section 24-07-03 of the North Dakota Century Code,  
2 relating to section lines as public roads.

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

4 **SECTION 1. AMENDMENT.** Section 24-07-03 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **24-07-03. Section lines considered public roads open for public roads travel -**

7 **Closing same under certain conditions.** In all townships in this state, outside the limits of  
8 incorporated cities, and outside platted townsites, additions, or subdivisions recorded pursuant  
9 to sections 40-50.1-01 through 40-50.1-17 or recorded prior to July 1, 1987, under former  
10 chapter 40-50, the congressional section lines are considered public roads open for public  
11 ~~roads, open travel~~ to the width of thirty-three feet [10.06 meters] on each side of ~~such the~~  
12 section lines.

13 The board of county commissioners, if petitioned by a person having an interest in the  
14 adjoining land or a portion thereof, ~~is authorized~~, after public hearing and a finding by the  
15 commissioners of public benefit, ~~to~~ may close section ~~line roads lines~~ or portions thereof which  
16 are not used for ten years, are not traveled due to natural obstacles or difficulty of terrain, are  
17 not required due to readily accessible alternate routes of travel, or are intersected by interstate  
18 highways causing ~~such the~~ section line ~~road~~ to be a dead end, providing the closing of ~~such the~~  
19 dead end section line ~~road~~ does not deprive adjacent ~~landowner~~ landowners access to ~~his the~~  
20 landowners' property. After ~~such the~~ section ~~line roads lines~~ are closed, they may be leveled  
21 ~~and farmed by~~ used to the benefit of the adjacent landowners ~~or tenants, only if the leveling or~~  
22 ~~farming does not disturb, remove, or destroy any.~~ However, survey or property reference  
23 ~~monument. However, if monuments may not be disturbed, removed, or destroyed. If drainage~~

- 1 is interfered with due to the farming operations, alternate means of drainage must be provided
- 2 for by the landowners or tenants farming ~~such~~ the lands.