

**HOUSE BILL NO. 1344
with Senate Amendments**

Fifty-fifth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1344

Introduced by

Representatives Stenehjem, DeKrey, Delmore

Senators Grindberg, Watne

1 A BILL for an Act to amend and reenact section 47-16-30.1 of the North Dakota Century Code,
2 relating to a lessor's rights in abandoned property.

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

4 **SECTION 1. AMENDMENT.** Section 47-16-30.1 of the 1995 Supplement to the North
5 Dakota Century Code is amended and reenacted as follows:

6 **47-16-30.1. Abandoned property - Disposal by lessor.** Property with a total
7 estimated value of not more than one thousand five hundred dollars which is left on the
8 premises of a leased dwelling thirty days after the tenant has vacated the premises after the
9 expiration of the lease term may be retained by the lessor and disposed of without legal
10 process. The lessor is entitled to the proceeds from the sale of the property. The lessor may
11 recover, from the lessee's security deposit, any storage and moving expenses in excess of the
12 proceeds from the sale incurred in disposing of the property. If the lessor removes the
13 abandoned property from the dwelling unit after a judgment of eviction has been obtained and
14 the special execution has been served, the lessor has a lien upon the property for the
15 reasonable amount of any storage and moving expenses and may retain possession of the
16 property until the charges have been paid. The lien does not have priority over a prior
17 perfected security interest in the property.