

HOUSE BILL NO. 1276

Introduced by

Representatives DeKrey, Kerzman, Weisz

1 A BILL for an Act to amend and reenact subsection 2 of section 47-05-02.1 of the North Dakota
2 Century Code, relating to conservation easements.

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

4 **SECTION 1. AMENDMENT.** Subsection 2 of section 47-05-02.1 of the North Dakota
5 Century Code is amended and reenacted as follows:

6 2. The duration of the easement, servitude, or nonappurtenant restriction on the use
7 of real property must be specifically set out, and in no case may the duration of any
8 interest in real property regulated by this section exceed ninety-nine years. The
9 duration of an easement for a waterfowl production area acquired by the federal
10 government, and consented to by the governor or the appropriate state agency
11 after July 1, 1985, may not exceed fifty years. The duration of a wetlands reserve
12 program easement acquired by the federal government pursuant to the Food,
13 Agriculture, Conservation, and Trade Act of 1990 after July 1, 1991, may not
14 exceed thirty years. The duration of an easement for conserving natural areas and
15 habitats for biota acquired by a nonprofit organization after July 31, 2001, may not
16 exceed ten years. An individual granting an easement to a nonprofit organization
17 for a ten-year period may repurchase the easement by paying one-tenth of the
18 purchase price for each year remaining on the life of the easement.