

Sixtieth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1045

Introduced by

Representatives Drovdal, Kempenich

Senators Bowman, Lyson

1 A BILL for an Act to create and enact a new subsection to section 11-18-03 and a new
2 subsection to section 38-18.1-06 of the North Dakota Century Code, relating to filing of a
3 statement of succession in interest to abandoned minerals; and to amend and reenact section
4 38-18.1-02 of the North Dakota Century Code, relating to filing of a statement of succession in
5 interest to abandoned minerals.

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

7 **SECTION 1.** A new subsection to section 11-18-03 of the North Dakota Century Code
8 is created and enacted as follows:

9 A statement of succession in interest to minerals deemed to be abandoned under
10 chapter 38-18.1.

11 **SECTION 2. AMENDMENT.** Section 38-18.1-02 of the North Dakota Century Code is
12 amended and reenacted as follows:

13 **38-18.1-02. Statement of claims - Recording - Reversion.** Any mineral interest is, if
14 unused for a period of twenty years immediately preceding the first publication of the notice
15 required by section 38-18.1-06, deemed to be abandoned, unless a statement of claim is
16 recorded in accordance with section 38-18.1-04. Title to the abandoned mineral interest vests
17 in the owner or owners of the surface estate in the land in or under which the mineral interest is
18 located on the date of abandonment. The owner of the surface estate in the land in or under
19 which the mineral interest is located on the date of abandonment may file a statement of
20 succession in interest indicating that the owner has succeeded to ownership of the minerals
21 under this chapter.

22 **SECTION 3.** A new subsection to section 38-18.1-06 of the North Dakota Century Code
23 is created and enacted as follows:

- 1 A person who succeeds to the ownership of a mineral interest upon its lapse under
- 2 this chapter is entitled to record a statement of succession in interest indicating that
- 3 that person has succeeded to the ownership of the mineral interest.