

Sixtieth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1231

Introduced by

Representatives Kretschmar, Brandenburg

Senator Erbele

1 A BILL for an Act to amend and reenact section 47-05-16 of the North Dakota Century Code,
2 relating to wind energy payments.

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

4 **SECTION 1. AMENDMENT.** Section 47-05-16 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **47-05-16. Severance of wind energy rights limited.** Except for a wind easement
7 created under section 47-05-15 and as otherwise provided in this section, an interest in a
8 resource located on a tract of land and associated with the production of energy for wind power
9 on the tract of land may not be severed from the surface estate. However, nothing in this
10 section may be construed to prohibit or limit the right of a seller of real estate to retain any
11 payments associated with an existing wind energy project.