

Sixtieth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1421

Introduced by

Representatives Headland, Brandenburg, Froelich, Pollert

Senators Erbele, Wanzek

1 A BILL for an Act to amend and reenact section 36-21.1-01 of the North Dakota Century Code,
2 relating to the humane treatment of animals.

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

4 **SECTION 1. AMENDMENT.** Section 36-21.1-01 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **36-21.1-01. Definitions.** In this chapter, unless the context otherwise requires:

- 7 1. "Abandoned animal" means an animal that is or reasonably appears to have been
8 deserted by its owner or keeper. The term may include an animal that is running
9 loose on property other than that of its owner or the owner's agent if the animal
10 bears no identification indicating the owner or the owner's agent and the owner or
11 owner's agent is not known to the sheriff, police officer, licensed veterinarian, or
12 investigator taking custody of the animal under this chapter.
- 13 2. "Animal" includes every living animal except the human race.
- 14 3. "Commissioner" means the agriculture commissioner.
- 15 4. "Cruelty" or "torture" ~~includes every~~ means any act, omission, or neglect whereby
16 unnecessary or unjustifiable pain, suffering, or death is caused or permitted. The
17 term does not include any activity that is a usual and customary practice of animal
18 husbandry or of a science-based agricultural management system, such as the use
19 of gestation crates, farrowing crates, and veal stalls, and the tethering of animals.
- 20 5. "Investigator" means any person approved by the board to determine whether
21 there has been a violation of this chapter.