

Sixty-first
Legislative Assembly
of North Dakota

SENATE BILL NO. 2176

Introduced by

Senators J. Lee, Fischer, Flakoll

Representatives Hawken, Keiser, Potter

1 A BILL for an Act to amend and reenact section 47-16-18 of the North Dakota Century Code,
2 relating to the termination of a lease by death.

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

4 **SECTION 1. AMENDMENT.** Section 47-16-18 is amended:

5 **47-16-18. When lease of real property is terminated by death.** Only when the lease
6 of real property is terminable at the pleasure of one of the parties to the contract is it terminated
7 by the notice to one party of the death or incapacity of the other party to contract. Upon the
8 death of a lessee of real property for residential purposes, however, the lease terminates on the
9 last day of the month of the death of the lessee, the last day of the following month, or under
10 the terms of the lease, whichever is chosen by a representative of the lessee's estate and
11 notice of that decision is given to the lessor before the termination of the lease as a result of
12 that decision.