

Sixty-first
Legislative Assembly
of North Dakota

HOUSE BILL NO.

Introduced by

Representative Pinkerton

1 A BILL for an Act to amend and reenact section 36-21.1-02 of the North Dakota Century Code,
2 relating to animal abandonment; and to provide a penalty.

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

4 **SECTION 1. AMENDMENT.** Section 36-21.1-02 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **36-21.1-02. Overworking, mistreating, or abandoning animals - Penalty.**

- 7 1. a. No person may overdrive, overload, torture, cruelly beat, neglect, or
8 unjustifiably injure, maim, mutilate, or kill any animal, or cruelly work any
9 animal when unfit for labor.
- 10 ~~2.~~ b. No person may deprive any animal over which the person has charge or
11 control of necessary food, water, or shelter.
- 12 ~~3.~~ c. No person may keep any animal in any building, room, cage, or pen without
13 adequate care.
- 14 ~~4.~~ d. No person may abandon any animal.
- 15 ~~5.~~ e. A person shall reclaim an animal within forty-eight hours of the agreed-upon
16 time for termination of a boarding contract and pay all charges for boarding
17 the animal.
- 18 ~~6.~~ f. No person may allow any maimed, sick, infirm, or disabled animal of which
19 the person is the owner, or of which the person has custody, to lie in any
20 street, road, or other public place for more than three hours after notice.
- 21 ~~7.~~ g. No person may willfully instigate, or in any way further, any act of cruelty to
22 any animal or animals, or any act tending to produce such cruelty.
- 23 ~~8.~~ h. No person may cage any animal for public display purposes unless the
24 display cage is constructed of solid material on three sides to protect the

1 caged animal from the elements, and unless the horizontal dimension of each
2 side of the cage is at least four times the length of the caged animal. This
3 ~~subsection~~ subdivision does not apply to the North Dakota state fair
4 association, to agricultural fair associations, to any agricultural display of
5 caged animals by any political subdivision, or to district, regional, or national
6 educational livestock or poultry exhibitions. Zoos which have been approved
7 by the health district or the governing body of the political subdivision which
8 has jurisdiction over the zoos are exempt from this ~~subsection~~ subdivision.
9 2. Any person willfully violating this section is guilty of a class C felony.