

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1239

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact section 20.1-01-17, subdivision g of subsection 5 of section 39-24-09, and subdivision g of subsection 5 of section 39-29-09 of the North Dakota Century Code, relating to posting of lands to prohibit hunting, the operation of snowmobiles, and the operation of off-highway vehicles; and to provide a penalty.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 20.1-01-17 of the North Dakota Century Code is amended and reenacted as follows:

20.1-01-17. Posting of lands ~~by owner or tenant~~ to prohibit hunting - How posted - Signs defaced.

1. Only the owner or tenant, the spouse or child of the owner or tenant, or an individual authorized by the owner in writing of ~~any~~ land may post ~~it~~ the land by placing signs alongside the public highway or the land giving notice that ~~no~~ hunting is not permitted on the land. The name of the person posting the land must appear on each sign in legible characters. The signs must be readable from the outside of the land and must be placed conspicuously not more than eight hundred eighty yards [804.68 meters] apart. As to land entirely enclosed by a fence or other enclosure, posting of signs at or on all gates through the fence or enclosure constitutes a posting of all the enclosed land. ~~No~~
2. A person may ~~in any manner~~ not deface, take down, ~~or~~ destroy posting signs, or post property without the permission of the owner or tenant, the spouse or child of the owner or tenant, or an individual authorized by the owner in writing.
3. If the posting of the land varies from the provisions of subsection 1, an individual is guilty of violating section 20.1-01-18 if the owner or tenant, the spouse or child of the owner or tenant, or an individual authorized by the owner in writing substantially complies with subsection 1 and the individual enters onto the land knowing that the intent of the owner or tenant, the spouse or child of the owner or tenant, or an individual authorized by the owner in writing was to comply with this section.

SECTION 2. AMENDMENT. Subdivision g of subsection 5 of section 39-24-09 of the North Dakota Century Code is amended and reenacted as follows:

- g. (1) Upon any private land where the private land is posted by the owner or tenant, the spouse or child of the owner or tenant, or an individual authorized by the owner in writing prohibiting trespassing. The name of the person posting the land must appear on each sign in legible characters. The posted signs must be readable from the outside of the land and must be placed conspicuously at a distance of not more than eight hundred eighty yards [804.68 meters] apart, provided further that as to land entirely enclosed by a fence or other enclosure, posting of signs at or on all gates through the fence or enclosure constitutes a posting of all the enclosed lands.

- (2) A person may not deface, take down, destroy posting signs, or post property without the permission of the owner or tenant, the spouse or child of the owner or tenant, or an individual authorized by the owner in writing.
- (3) If the posting of the land varies from the provisions of paragraph 1, an individual is guilty of violating paragraph 1 if the owner or tenant, the spouse or child of the owner or tenant, or an individual authorized by the owner in writing substantially complies with paragraph 1 and the individual enters onto the land knowing that the intent of the owner or tenant, the spouse or child of the owner or tenant, or an individual authorized by the owner in writing was to comply with this subsection.

SECTION 3. AMENDMENT. Subdivision g of subsection 5 of section 39-29-09 of the North Dakota Century Code is amended and reenacted as follows:

- g. (1) On any private land where the private land is posted prohibiting trespassing. The name ~~and address~~ of the ~~person~~ owner or tenant, the spouse or child of the owner or tenant, or an individual authorized by the owner in writing posting the land ~~and the date of posting~~ must appear on each sign in legible characters. The posted signs must be readable from outside the land and be placed conspicuously at a distance of not more than eight hundred eighty yards [804.68 meters] apart. Land entirely enclosed by a fence or other enclosure is sufficiently posted by posting of these signs at or on all gates through the fence or enclosure.
- (2) A person may not deface, take down, or destroy posting signs, or post property without the permission of the owner or tenant, the spouse or child of the owner or tenant, or an individual authorized by the owner in writing.
- (3) If the posting of the land varies from the provisions of paragraph 1, an individual is guilty of violating paragraph 1 if the owner or tenant, the spouse or child of the owner or tenant, or an individual authorized by the owner in writing substantially complies with paragraph 1 and the individual enters onto the land knowing that the intent of the owner or tenant, the spouse or child of the owner or tenant, or an individual authorized by the owner in writing was to comply with this subsection."

Renumber accordingly