15.0658.03000

Sixty-fourth Legislative Assembly of North Dakota

## FIRST ENGROSSMENT with Senate Amendments ENGROSSED HOUSE BILL NO. 1304

Introduced by

Representatives K. Koppelman, Brabandt, Klemin, Olson, Paur Senator Armstrong

- 1 A BILL for an Act create and enact a new section to chapter 12.1-01, a new section to chapter
- 2 14-10, and a new section to chapter 27-20 of the North Dakota Century Code, relating to the
- 3 presumption of an individual's legal date of birth.

## 4 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

5 **SECTION 1.** A new section to chapter 12.1-01 of the North Dakota Century Code is created and enacted as follows:

## Presumption of age.

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- 1. In determining an individual's age for purposes of this title, the individual's date of birth
   as provided by any of the following is presumed to be the individual's legal date of
   birth:
- 11 <u>a. A state government in the form of a birth certificate, other state-issued</u>
   12 <u>identification, or a certified copy of a birth certificate that includes the individual's</u>
   13 <u>date of birth;</u>
  - b. The United States government in the form of a tribal identification document, military identification, passport, passport card, permanent resident card, certificate of United States citizenship, certificate of naturalization, border crossing card, visa, or other entry document that includes the individual's date of birth; or
  - c. A foreign government in the form of a passport, driver's license, or other foreign government-issued identity document that includes the individual's date of birth. If there is a conflict between government issued forms, a government issued birth certificate or a certified copy of a birth certificate takes precedence.
  - 2. The presumption in subsection 1 may be rebutted by clear and convincing evidence to the contrary.

1	SEC	SECTION 2. A new section to chapter 14-10 of the North Dakota Century Code is created			
2	and enacted as follows:				
3	Presumption of age.				
4	<u>1.</u>	In determining an individual's age for purposes of this chapter, the individual's date of			
5		<u>birth</u>	n as provided by any of the following is presumed to be the individual's legal date		
6		of birth:			
7		<u>a.</u>	A state government in the form of a birth certificate, other state-issued		
8			identification, or a certified copy of a birth certificate that includes the individual's		
9			date of birth;		
0		<u>b.</u>	The United States government in the form of a tribal identification document,		
11			military identification, passport, passport card, permanent resident card,		
2			certificate of United States citizenship, certificate of naturalization, border		
3			crossing card, visa, or other entry document that includes the individual's date of		
4			birth; or		
5		<u>C.</u>	A foreign government in the form of a passport, driver's license, or other foreign		
6			government-issued identity document that includes the individual's date of birth. If		
7			there is a conflict between government issued forms, a government issued birth		
8			certificate or a certified copy of a birth certificate takes precedence.		
9	<u>2.</u>	The presumption in subsection 1 may be rebutted by clear and convincing evidence to			
20		the contrary.			
21	SEC	SECTION 3. A new section to chapter 27-20 of the North Dakota Century Code is created			
22	and enacted as follows:				
23	<u>Pres</u>	Presumption of age.			
24	<u>1.</u>	<u>In d</u>	etermining an individual's age for purposes of this chapter, the individual's date of		
25		birth as provided by any of the following is presumed to be the individual's legal date			
26		of birth:			
27		<u>a.</u>	A state government in the form of a birth certificate, other state-issued		
28			identification, or a certified copy of a birth certificate that includes the individual's		
29			date of birth;		
30		<u>b.</u>	The United States government in the form of a tribal identification document,		
₹1			military identification, passnort, passnort card, permanent resident card		

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1			certificate of United States citizenship, certificate of naturalization, border
2			crossing card, visa, or other entry document that includes the individual's date of
3			birth; or
4		<u>C.</u>	A foreign government in the form of a passport, driver's license, or other foreign
5			government-issued identity document that includes the individual's date of birth. If
6			there is a conflict between government issued forms, a government issued birth
7			certificate or a certified copy of a birth certificate takes precedence.
8	<u>2.</u>	<u>The</u>	presumption in subsection 1 may be rebutted by clear and convincing evidence to
9		the	contrary.