

**SENATE BILL NO. 2351**  
**with House Amendments**  
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Introduced by

Senators Wanzek, Miller, O'Connell

Representatives Headland, D. Johnson, Trottier

1 A BILL for an Act to create and enact section 10-06.1-12.1 of the North Dakota Century Code,  
2 relating to the ownership or leasing of farm and ranch land by corporations.

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

4 **SECTION 1.** Section 10-06.1-12.1 of the North Dakota Century Code is created and  
5 enacted as follows:

6 **10-06.1-12.1. Ownership or leasing of land by corporations - Exceptions.**

7 1. This chapter does not apply to the ownership or leasing of land used for the operation  
8 of a dairy farm by a domestic corporation or a limited liability company and does not  
9 prohibit the operation of a dairy farm by a domestic corporation or a limited liability  
10 company, provided:

11 a. The land owned or leased for the authorized purpose does not exceed six  
12 hundred forty acres [258.99 hectares];

13 b. The dairy farm is operational within three years from the date the land is  
14 acquired; and

15 c. The dairy farm is permitted as a concentrated animal feeding operation by the  
16 state department of health and consists of at least fifty cows.

17 2. This chapter does not apply to the ownership or leasing of land used for the operation  
18 of a swine production facility by a domestic corporation or a limited liability company  
19 and does not prohibit the operation of a swine production facility by a domestic  
20 corporation or a limited liability company, provided:

21 a. The land owned or leased for the authorized purpose does not exceed six  
22 hundred forty acres [258.99 hectares];

23 b. The swine production facility is operational within three years from the date the  
24 land is acquired; and

- 1           c.   The swine production facility is permitted as a concentrated animal feeding  
2               operation by the state department of health and consists of at least five hundred  
3               swine.
- 4       3.   The agriculture commissioner shall by rule develop reporting and monitoring  
5           requirements to ensure compliance with this section.
- 6       4.   a.   If the agriculture commissioner determines that a domestic corporation or a  
7               limited liability company is not operating within the exceptions provided by this  
8               section, the commissioner shall notify the secretary of state and the attorney  
9               general.
- 10       b.   A domestic corporation or a limited liability company that is not operating within  
11           the exceptions provided by this section is subject to the enforcement provisions  
12           of this chapter.