Sixty-fifth Legislative Assembly of North Dakota

HOUSE BILL NO. 1208

Introduced by

Representatives D. Johnson, Boschee, Kempenich, Trottier Senators Dotzenrod, Erbele, O. Larsen, Luick, Wanzek

- 1 A BILL for an Act to amend and reenact section 4.1-73-18 of the North Dakota Century Code,
- 2 relating to livestock bills of sale; and to provide a penalty.

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

- 4 **SECTION 1. AMENDMENT.** Section 4.1-73-18 of the North Dakota Century Code is amended and reenacted as follows:
- 6 4.1-73-18. Bill of sale Copy with shipment Effect Penalty.
- 1. a. Except as provided in subsection 2, a person may not sell any livestock carrying
 a recorded brand unless the seller is the owner of the recorded brand and
 delivers a bill of sale for the livestock to the purchaser. The bill of sale must
 include:
- 11 (1) The date;

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- 12 (2) The name, address, and signature of the seller;
- 13 (3) The name, address, and signature of an individual who is at least eighteen years of age and who can verify the name and signature of the seller;
 - (4) The name and address of the buyer;
- 16 (5) The total number of animals sold;
- 17 (6) A description of each animal sold as to sex and color; and
- 18 (7) A depiction of the recorded brand.
- 19 b. The seller must deliver a bill of sale to the purchaser within fifteen days of the
 20 date of the sale.
- 21 <u>c.</u> The buyer shall retain the bill of sale for as long as the buyer owns any animals described in the bill of sale.

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- The seller shall provide a copy of the bill of sale to the individual hauling the livestock. The individual shall ensure that the document remains with the livestock while in transit.
 - d.e. The bill of sale or a copy of the bill of sale must be shown by the possessor on demand to any law enforcement officer or brand inspector.
 - e.f. The bill of sale is prima facie evidence of the sale of the livestock described in the bill of sale.
 - 2. Subsection 1 does not apply to the sale of livestock for which a brand inspector has issued a certificate of ownership.
- Any person willfully violating this section is guilty of a class B misdemeanor for a first
 offense and a class A misdemeanor for a second or subsequent offense.

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