

**Sixty-ninth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 7, 2025**

HOUSE BILL NO. 1094

(Representatives J. Olson, D. Anderson, Kempenich, Nehring, Novak, Pyle, Schauer, Swiontek)
(Senators Kessel, Patten, Thomas)

AN ACT to amend and reenact section 20.1-05.1-02 of the North Dakota Century Code, relating to discretionary special allocation hunting licenses.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 20.1-05.1-02 of the North Dakota Century Code is amended and reenacted as follows:

20.1-05.1-02. Discretionary special allocation hunting license authorization.

1. Subject to the restrictions under this section and in addition to the special allocation licenses authorized under section 20.1-05.1-01, if determined appropriate by the director based on the sustainability of the species population, the director may issue to eligible organizations the following annual special allocation hunting licenses:
 - a. Not more than two elk licenses, but the total issued under this subdivision may not exceed two percent of the general lottery allocation of elk licenses for the season.
 - b. Not more than two moose licenses, but the total issued under this subdivision may not exceed two percent of the general lottery allocation of moose licenses for the season.
 - c. Not more than two antelope licenses, but the total issued under this subdivision may not exceed two percent of the general lottery allocation of antelope licenses for the previous season.
 - d. Not more than ten white-tailed deer licenses.
2. An eligible organization may apply annually to be considered for issuance of up to two special allocation hunting licenses under this section. Applications under this subsection must be filed at the times, in the manner, and containing the information required by rules adopted by the director. If more applications are filed than the number of licenses under this section available for that species for a season, the director shall determine by lottery which organizations will receive the available licenses.
3. An eligible organization that obtains a license under this section and conducts a raffle or auction to determine the recipient of the license must conduct the raffle or auction in compliance with rules adopted by the director. An eligible organization that obtains a license under this section shall submit reports concerning a raffle or auction as the director requires. An individual may apply to receive an elk or moose license through a raffle or auction under this section as well as through the game and fish department general lottery. If an individual receives an elk or moose license under this section, the individual is not eligible to receive an elk or moose license through the game and fish department general lottery that year and may not obtain an elk or moose license under section 20.1-05.1-01 that year. If an individual receives an elk or moose license under section 20.1-05.1-01, the individual is not eligible to receive an elk or moose license under this section that year.
4. An individual who has been convicted of illegally taking a moose, elk, or bighorn sheep is not eligible to apply for or receive a license under this section.
5. For purposes of this section, "eligible organization" means an organization that:

- a. Is exempt from federal income taxation under section 501(c)(3) or 501(c)(19) of the Internal Revenue Code [26 U.S.C. 501(c)(3); 26 U.S.C. 501(c)(19)] and provides with its application a copy of the letter from the internal revenue service to that effect; ;
- b. Is on file as a nonprofit corporation in good standing in the office of the secretary of state; ;
- c. Agrees in its application to contribute at least ~~ten~~twenty percent of the net proceeds of any raffle of a license under this section to a conservation-related project to be conducted in this state and approved by the director; and
- d. Is not the recipient of a special allocation hunting license under section 20.1-05.1-01.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-ninth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1094.

House Vote: Yeas 88 Nays 4 Absent 2

Senate Vote: Yeas 43 Nays 1 Absent 3

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2025.

Approved at _____ M. on _____, 2025.

Governor

Filed in this office this _____ day of _____, 2025,

at _____ o'clock _____ M.

Secretary of State