

Fifty-fifth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1282

Introduced by

Representatives Boehm, Renner

Senator Tomac

1 A BILL for an Act to amend and reenact section 36-21.1-09 of the North Dakota Century Code,
2 relating to the use of live beef and dairy cattle as a raffle prize; to provide an effective date; and
3 to declare an emergency.

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

5 **SECTION 1. AMENDMENT.** Section 36-21.1-09 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **36-21.1-09. Use of certain birds as advertising devices - Use of live beef or dairy**
8 **cattle as raffle prizes - Gifts of animals.**

- 9 1. No person may sell, offer for sale, raffle, offer, or give as a prize, premium, or use
10 as an advertising device, chicks, ducklings, or goslings younger than four weeks of
11 age in quantities of less than twelve birds to an individual person. Persons
12 engaging in the business of selling chicks, ducklings, or goslings for agricultural or
13 wildlife purposes are exempt from the provisions of this section, but only when
14 selling for such purposes.
- 15 2. An eligible organization authorized to conduct games of chance under chapter
16 53-06.1 may raffle live beef or dairy cattle if each raffle ticket contains a statement
17 that the winner of the beef or dairy cattle prize may convert that prize to a cash
18 prize. The donor of the beef or dairy cattle prize shall determine the amount of the
19 cash prize, which must be equivalent to the value of the beef or dairy cattle prize
20 and cannot exceed the limitations of section 53-06.1-10.1.
- 21 3. A person may not give away any live animal, other than those authorized under
22 ~~subsection~~ subsections 1 and 2, as:
- 23 a. A prize for, or as an inducement to enter any contest, game, or other
24 competition;

- 1 b. An inducement to enter a place of amusement; or
- 2 c. An incentive to enter into any business agreement where the offer was for the
- 3 purpose of attracting trade.
- 4 ~~3.~~ 4. The provisions of subsection ~~2~~ 3 do not apply to a person or organization that
- 5 gives away an animal:
- 6 a. As a project for the promotion of the equine and livestock industry of North
- 7 Dakota;
- 8 b. As a project for the promotion of conservation of animals and wildlife in North
- 9 Dakota; or
- 10 c. Which is intended for slaughter.

11 **SECTION 2. EFFECTIVE DATE.** This Act becomes effective on April 1, 1997.

12 **SECTION 3. EMERGENCY.** This Act is declared to be an emergency measure.