

**HOUSE BILL NO. 1291**

Introduced by

Representatives Brandenburg, Froelich, Kempenich, Nicholas

Senators Erbele, Taylor

1 A BILL for an Act to amend and reenact subsection 3 of section 23-25-11 of the North Dakota  
2 Century Code, relating to open air feedlots.

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

4 **SECTION 1. AMENDMENT.** Subsection 3 of section 23-25-11 of the North Dakota  
5 Century Code is amended and reenacted as follows:

6 3. An odor measurement may be taken only with a properly maintained scentometer,  
7 by an odor panel, or by another instrument or method approved by the state  
8 department of health, and only by inspectors certified by the department who have  
9 successfully completed a department-sponsored odor certification course and  
10 demonstrated the ability to distinguish various odor samples and concentrations.  
11 To determine an open air feedlot's odor levels, the department may measure only  
12 hydrogen sulfide levels and may not use a scentometer.