

Sixtieth  
Legislative Assembly  
of North Dakota

## ENGROSSED HOUSE BILL NO. 1045

Introduced by

Representatives Drovdal, Kempenich

Senators Bowman, Lyson

1 A BILL for an Act to create and enact a new subsection to section 11-18-03 and a new  
2 subsection to section 38-18.1-06 of the North Dakota Century Code, relating to filing of a  
3 statement of succession in interest to abandoned minerals; and to amend and reenact section  
4 38-18.1-02 of the North Dakota Century Code, relating to filing of a statement of succession in  
5 interest to abandoned minerals.

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

7 **SECTION 1.** A new subsection to section 11-18-03 of the North Dakota Century Code  
8 is created and enacted as follows:  
9 A statement of succession in interest to minerals deemed to be abandoned under  
10 chapter 38-18.1.

11 **SECTION 2. AMENDMENT.** Section 38-18.1-02 of the North Dakota Century Code is  
12 amended and reenacted as follows:

13 **38-18.1-02. Statement of claims - Recording - Reversion.** Any mineral interest is, if  
14 unused for a period of twenty years immediately preceding the first publication of the notice  
15 required by section 38-18.1-06, deemed to be abandoned, unless a statement of claim is  
16 recorded in accordance with section 38-18.1-04. Title to the abandoned mineral interest vests  
17 in the owner or owners of the surface estate in the land in or under which the mineral interest is  
18 located on the date of abandonment. The owner of the surface estate in the land in or under  
19 which the mineral interest is located on the date of abandonment may record a statement of  
20 succession in interest indicating that the owner has succeeded to ownership of the minerals  
21 under this chapter.

22 **SECTION 3.** A new subsection to section 38-18.1-06 of the North Dakota Century  
23 Code is created and enacted as follows:

- 1           A person who succeeds to the ownership of a mineral interest upon its lapse under
- 2           this chapter is entitled to record a statement of succession in interest indicating
- 3           that that person has succeeded to the ownership of the mineral interest.