

**SENATE BILL NO. 2254**

Introduced by

Senator Mathern

1 A BILL for an Act to create and enact a new section to chapter 36-01 of the North Dakota  
2 Century Code, relating to hunting on nontraditional livestock and farmed elk facilities; to amend  
3 and reenact sections 36-25-05 and 36-25-08 of the North Dakota Century Code, relating to  
4 escape and identification of farmed elk; and to provide a penalty.

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

6 **SECTION 1.** A new section to chapter 36-01 of the North Dakota Century Code is  
7 created and enacted as follows:

8 **Nontraditional livestock and farmed elk facilities - Fee shooting prohibited -**  
9 **Penalty.** After the effective date of this Act, the shooting of nontraditional livestock or farmed  
10 elk for a fee or other remuneration on a licensed nontraditional livestock or farmed elk facility is  
11 prohibited. A person who willfully violates this section is guilty of a class B misdemeanor.

12 **SECTION 2. AMENDMENT.** Section 36-25-05 of the North Dakota Century Code is  
13 amended and reenacted as follows:

14 **36-25-05. Confinement - Rules - Escape.** Farmed elk must be confined in a manner  
15 designed to prevent escape. Unless otherwise required by rule, fencing for farmed elk must be  
16 at least ~~eighty-four~~ ninety-six inches [~~213.36~~ 243.84 centimeters] in height. If any farmed elk  
17 escape, their owner shall report the escape to the board within one business day of the  
18 discovery and shall notify the board upon recapture. The owner shall cause any farmed elk to  
19 be recaptured or destroyed within four days of the escape. The owner is liable for the expenses  
20 incurred by another person in capturing, caring for, and returning farmed elk that have escaped,  
21 provided the other person notifies the owner as soon as practicable after discovering the  
22 escape.

23 **SECTION 3. AMENDMENT.** Section 36-25-08 of the North Dakota Century Code is  
24 amended and reenacted as follows:

- 1           **36-25-08. Identification.** The owner of farmed elk shall identify each animal by a  
2 ~~means of identification approved by the board~~ an ear tag visible at one hundred yards [91.44  
3 meters] in low-light conditions.