

SENATE BILL NO. 2368

Introduced by

Senator Potter

1 A BILL for an Act to create and enact a new section to chapter 49-16 of the North Dakota
2 Century Code, relating to a choice-of-laws clause in a railroad right of way agreement.

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

4 **SECTION 1.** A new section to chapter 49-16 of the North Dakota Century Code is
5 created and enacted as follows:

6 **Choice-of-laws clause void.** A provision of any lease, license, or other agreement for
7 the use or occupancy of railroad right of way or other adjoining property is void to the extent the
8 provision provides that any provision of section 49-16-01.1 does not apply, that the laws of
9 another state are to apply, or that another law, rule, or provision is to apply. With respect to a
10 lease, license, or other agreement affected by this section, section 49-16-01.1 is deemed to
11 apply.