

Sixtieth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1229

Introduced by

Representatives Drovdal, Kempenich

Senators Bowman, Urlacher, Wardner

1 A BILL for an Act to amend and reenact section 38-08-05 of the North Dakota Century Code,
2 relating to oil and gas well location restrictions.

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

4 **SECTION 1. AMENDMENT.** Section 38-08-05 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **38-08-05. Drilling permit required.** It is unlawful to commence operations for the
7 drilling of a well for oil or gas without first obtaining a permit from the industrial commission
8 under such rules as may be prescribed by the commission and paying to the commission a fee
9 for each such well in an amount to be prescribed by the commission. At least twenty days
10 before applying for a permit, the applicant shall give notice of intention to apply for a permit to
11 the record owner, as set forth in the office of the county treasurer. The applicant also shall
12 notify the owner of any permanently occupied dwelling located within one-quarter mile [402.34
13 meters] of the proposed oil or gas well. If the occupied dwelling lies within city limits,
14 notification may be given by contacting the local governing board. Unless waived by the
15 occupant, the commission may not issue a drilling permit for an oil or gas well that will be
16 located within five hundred feet [152.4 meters] of an occupied dwelling.