

Sixtieth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1384

Introduced by

Representatives S. Meyer, DeKrey, Solberg

1 A BILL for an Act to amend and reenact section 36-09-02.1 of the North Dakota Century Code,
2 relating to the brands placed on horses.

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

4 **SECTION 1. AMENDMENT.** Section 36-09-02.1 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **36-09-02.1. Standards for recording brands or marks.**

- 7 1. The chief brand inspector shall record the brand or mark described in the
8 application except that the chief brand inspector shall refuse to record any brand or
9 mark that:
- 10 a. Has been recorded in favor of another person.
 - 11 b. Has been recorded in another state.
 - 12 c. Is deceptively similar to any previously recorded livestock brand or mark.
 - 13 d. Contains less than two characters.
 - 14 e. Contains:
 - 15 (1) The letter "g";
 - 16 (2) The letter "q";
 - 17 (3) Any letter not in the gothic style;
 - 18 (4) A dot;
 - 19 (5) The Arabic numeral "0" or "1";
 - 20 (6) Any non-Arabic numeral;
 - 21 (7) Any symbol other than a diamond, a half-diamond, an arrow, a mill iron,
22 a cross, a heart, a box, a triangle, a quarter circle, a bar, or a star; and
 - 23 (8) Any letter, number, or symbol within another letter, number, or symbol.
 - 24 f. Is not legible when placed on the livestock.

- 1 g. Would be placed upon the livestock in a location other than a permissible
2 location.
- 3 2. For purposes of this section, permissible locations for cattle are the left and right
4 shoulder, the left and right rib, and the left and right hip. Permissible locations for
5 horses and mules are the left and right jaw, the left and right shoulder, and the left
6 and right hip. Permissible locations for buffalo are the left and right rib and the left
7 and right hip. The chief brand inspector may determine permissible locations for
8 other types of livestock as necessary. The determination of permissible locations
9 under this section is not subject to rulemaking under chapter 28-32.
- 10 3. Notwithstanding any other provision of this section, the chief brand inspector shall
11 accept for rerecording under section 36-09-09 or under section 36-09-09.1:
- 12 a. Any previously recorded livestock brand or mark.
- 13 b. A single character brand provided the animals on which the brand is to be
14 placed are goats or sheep.
- 15 4. Notwithstanding any other provision of this section, if a letter, number, or symbol
16 within another letter, number, or symbol is recorded for placement on a horse, the
17 chief brand inspector shall allow the owner to record that brand for placement on
18 one or more additional locations on a horse, if those locations are permissible for a
19 horse under subsection 2 and if the brand placed on those locations has not been
20 recorded in favor of another person. A person owning a brand in accordance with
21 this subsection may not transfer or sell the brand except to the person's spouse,
22 parent, child, or sibling.