

HOUSE BILL NO. 1211

Introduced by

Representatives Hanson, Gruchalla, Mueller, Porter

Senators Fischer, Freborg

1 A BILL for an Act to amend and reenact subsection 3 of section 12.1-22-03, section 20.1-01-17,
2 subdivision g of subsection 5 of section 39-24-09, and subdivision g of subsection 5 of section
3 39-29-09 of the North Dakota Century Code, relating to posting land and the operation of
4 snowmobiles and off-highway vehicles.

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

6 **SECTION 1. AMENDMENT.** Subsection 3 of section 12.1-22-03 of the North Dakota
7 Century Code is amended and reenacted as follows:

8 3. An individual is guilty of a class B misdemeanor if, knowing that that individual is
9 not licensed or privileged to do so, the individual enters or remains in any place as
10 to which notice against trespass is given by actual communication to the actor by
11 the individual in charge of the premises or other authorized individual or by posting
12 in a manner reasonably likely to come to the attention of intruders. The name and
13 address or telephone number of the person posting the premises must appear on
14 each sign in legible characters. An individual who violates this subsection is guilty
15 of a class A misdemeanor for the second or subsequent offense within a two-year
16 period.

17 **SECTION 2. AMENDMENT.** Section 20.1-01-17 of the North Dakota Century Code is
18 amended and reenacted as follows:

19 **20.1-01-17. Posting of lands by owner or tenant to prohibit hunting - How posted -**
20 **Signs defaced.** Only the owner or tenant of ~~any~~ land may post ~~it~~ the land by placing signs
21 alongside the public highway or the land giving notice that ~~no~~ hunting is not permitted on the
22 land. The name and address or telephone number of the person posting the land must appear
23 on each sign in legible characters. The signs must be readable from the outside of the land and
24 must be placed conspicuously not more than eight hundred eighty yards [804.68 meters] apart.

1 As to land entirely enclosed by a fence or other enclosure, posting of signs at or on all gates
2 through the fence or enclosure constitutes a posting of all the enclosed land. ~~No~~ A person
3 may ~~in any manner~~ not deface, take down, or destroy posting signs.

4 **SECTION 3. AMENDMENT.** Subdivision g of subsection 5 of section 39-24-09 of the
5 North Dakota Century Code is amended and reenacted as follows:

6 g. Upon any private land where the private land is posted by the owner or tenant
7 prohibiting trespassing. The name and address or telephone number of the
8 person posting the land must appear on each sign in legible characters. The
9 posted signs must be readable from the outside of the land and must be
10 placed conspicuously at a distance of not more than eight hundred eighty
11 yards [804.68 meters] apart, provided further that as to land entirely enclosed
12 by a fence or other enclosure, posting of signs at or on all gates through the
13 fence or enclosure constitutes a posting of all the enclosed lands.

14 **SECTION 4. AMENDMENT.** Subdivision g of subsection 5 of section 39-29-09 of the
15 North Dakota Century Code is amended and reenacted as follows:

16 g. On any private land where the private land is posted prohibiting trespassing.
17 The name and address or telephone number of the person posting the land
18 ~~and the date of posting~~ must appear on each sign in legible characters. The
19 posted signs must be readable from outside the land and be placed
20 conspicuously at a distance of not more than eight hundred eighty yards
21 [804.68 meters] apart. Land entirely enclosed by a fence or other enclosure is
22 sufficiently posted by posting of these signs at or on all gates through the
23 fence or enclosure.