

**HOUSE BILL NO. 1188**

Introduced by

Representatives Porter, DeKrey, Maragos

Senator Dever

1 A BILL for an Act to amend and reenact sections 20.1-01-25, 23-29-05.1, and 39-10-59 of the  
2 North Dakota Century Code, relating to littering on game refuges or recreation areas, open  
3 burning, and depositing rubbish on highways; and to provide a penalty.

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

5 **SECTION 1. AMENDMENT.** Section 20.1-01-25 of the North Dakota Century Code is  
6 amended and reenacted as follows:

7 **20.1-01-25. Deposit of refuse unlawful - Penalty.**

8 The deposit of litter, refuse, rubbish, bottles, cans, or other waste materials, on or in the  
9 vicinity of ~~anya~~ game refuge, lake, river, public park, or recreation area is prohibited. Police  
10 officers, sheriffs, deputies, and game and fish department personnel shall enforce this section.  
11 ~~Any~~A person who willfully violates this section is guilty of an infraction for which a minimum fine  
12 of two hundred dollars must be imposed.

13 **SECTION 2. AMENDMENT.** Section 23-29-05.1 of the North Dakota Century Code is  
14 amended and reenacted as follows:

15 **23-29-05.1. Littering and open burning prohibited - Penalty.**

- 16 1. ~~No~~A person may not discard and abandon ~~any~~ litter, furniture, or major appliances  
17 upon public property or upon private property not owned by that person, unless the  
18 property is designated for the disposal of litter, furniture, or major appliances and that  
19 person is authorized to use the property for that purpose.
- 20 2. ~~No~~A person may not engage in the open burning of solid waste, unless the burning is  
21 conducted in accordance with rules adopted by the department.
- 22 3. A person violating this section is guilty of an infraction for which a minimum fine of two  
23 hundred dollars must be imposed, except if the litter discarded and abandoned

1           amounted to more than one cubic foot [0.0283 cubic meter] in volume or if the litter  
2           consisted of furniture or a major appliance, the offense is a class B misdemeanor.

3           **SECTION 3. AMENDMENT.** Section 39-10-59 of the North Dakota Century Code is  
4           amended and reenacted as follows:

5           **39-10-59. Garbage, glass, rubbish, and injurious materials on highway prohibited.**

- 6           1. An individual may not deposit upon any highway any glass bottle, glass, nails, tacks,  
7           wire, cans, rubbish, or any other litter. In addition, an individual may not deposit upon  
8           anya highway any other substance likely to injure anya person, animal, or vehicle.
- 9           2. An individual who deposits, or permits to be deposited, upon anya highway anya  
10          destructive or injurious material shall immediately remove or cause to be removed the  
11          samematerial.
- 12          3. An individual removing a wrecked or damaged vehicle from a highway shall remove  
13          any glass or other injurious substance dropped upon the highway from the vehicle.
- 14          4. A person who willfully violates this section is guilty of a class B misdemeanor for which  
15          a minimum fine of two hundred dollars must be imposed.