

**HOUSE BILL NO. 1267**

Introduced by

Representatives K. Koppelman, Beadle, Kasper, Paur

Senators Hogue, Laffen, Unruh

1 A BILL for an Act to amend and reenact section 47-16-30.1 of the North Dakota Century Code,  
2 relating to disposal of abandoned property by a lessor.

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

4 **SECTION 1. AMENDMENT.** Section 47-16-30.1 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **47-16-30.1. Abandoned property - Disposal by lessor.**

7 Property with a total estimated value of not more than ~~one~~two thousand five hundred dollars  
8 which is left on the premises of a leased dwelling ~~thirty days after the tenant has vacated the~~  
9 ~~premises after the expiration of the lease term~~ may be retained by the lessor and disposed of  
10 without legal process twenty-eight or more days after the lessor received actual notice that the  
11 lessee has abandoned the premises or twenty-eight or more days after it reasonably appears to  
12 the lessor that the lessee has abandoned the premises. The lessor is entitled to the proceeds  
13 from the sale of the property. The lessor may recover, from the lessee's security deposit, any  
14 storage and moving expenses in excess of the proceeds from the sale incurred in disposing of  
15 the property. If the lessor removes the abandoned property from the dwelling unit after a  
16 judgment of eviction has been obtained and the special execution has been served, the lessor  
17 has a lien upon the property for the reasonable amount of any storage and moving expenses  
18 and may retain possession of the property until the charges have been paid. The lien does not  
19 have priority over a prior perfected security interest in the property.