

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~~~~vacated~~ the premises or twenty-eight or more days after it reasonably
12 appears to the lessor that the lessee has ~~abandoned~~~~vacated~~ the premises. The lessor is
13 entitled to the proceeds from the sale of the property. The lessor may recover, from the lessee's
14 security deposit, any storage and moving expenses in excess of the proceeds from the sale
15 incurred in disposing of the property. If the lessor removes the abandoned property from the
16 dwelling unit after a judgment of eviction has been obtained and the special execution has been
17 served, the lessor has a lien upon the property for the reasonable amount of any storage and
18 moving expenses and may retain possession of the property until the charges have been paid.
19 The lien does not have priority over a prior perfected security interest in the property.