23.1055.01000

Sixty-eighth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1474

Introduced by

Representatives S. Olson, D. Anderson, Christensen, Kasper, Koppelman, Prichard, Steiner

Senator Boehm

A BILL for an Act to create and enact a new section to chapter 23-02.1 of the North Dakota Century Code, relating to vital statistic collection; and to amend and reenact section 1-01-49 of the North Dakota Century Code, relating to the definition of father, female, male, mother, and sex.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 1-01-49 of the North Dakota Century Code is amended and reenacted as follows:

1-01-49. Other general definitions.

As used in this code, unless the context otherwise requires or unless otherwise defined:

1. "Depose" includes every mode of written statement under oath or affirmation.
2. "Executor" includes administrator and "administrator" includes executor.
3. "Father" means a parent of the male sex.
4. "Female" means a girl, woman, or an individual whose biological reproductive system is developed to produce ova.
5. "Individual" means a human being.
6. "Male" means a boy, man, or an individual whose biological reproductive system is developed to fertilize the ova of a female.
7. "Mother" means parent of the female sex.
~~4.~~8. "Oath" includes "affirmation".
~~5.~~9. "Organization" includes a foreign or domestic association, business trust, corporation, enterprise, estate, joint venture, limited liability company, limited liability partnership, limited partnership, partnership, trust, or any legal or commercial entity.
~~6.~~10. "Partnership" includes a limited liability partnership registered under chapter 45-22.
~~7.~~11. "Penitentiary" includes any affiliated facilities.

~~8.~~12. "Person" means an individual, organization, government, political subdivision, or government agency or instrumentality.

~~9.~~13. "Personal property" includes money, goods, chattels, things in action, and evidences of debt.

~~10.~~14. "Preceding" and "following" when used by way of reference to a chapter or other part of a statute means the next preceding or next following chapter or other part.

~~11.~~15. "Primary sector business" means an individual, corporation, limited liability company, partnership, or association certified by the department of commerce division of economic development and finance which through the employment of knowledge or labor adds value to a product, process, or service which results in the creation of new wealth.

For purposes of this subsection, "new wealth" means revenues generated by a business in this state through the sale of products or services to:

a. Customers outside of this state; or

b. Customers in this state if the products or services were previously unavailable or difficult to obtain from a business in this state.

~~12.~~16. "Process" means a writ or summons issued in the course of judicial proceedings.

~~13.~~17. "Property" includes property, real and personal.

~~14.~~18. "Real property" shall be coextensive with lands, tenements, and hereditaments.

~~15.~~19. "Rule" includes regulation.

~~16.~~20. "Sex" means an individual's biological sex and is based solely on an individual's reproductive biology and genetics at birth.

21. "Signature" or "subscription" includes "mark" when the person cannot write, the person's name being written near it and written by a person who writes that person's own name as a witness.

~~17.~~22. "State" when applied to the different parts of the United States, includes the District of Columbia and the territories.

~~18.~~23. "Testify" includes every mode of oral statement under oath or affirmation.

~~19.~~24. "United States" includes the District of Columbia and the territories.

~~20.~~25. "Will" includes codicils.

~~21.~~26. "Writ" means an order or precept in writing, issued in the name of the state or of a court or judicial officer.

SECTION 2. A new section to chapter 23-02.1 of the North Dakota Century Code is created and enacted as follows:

Vital statistics collection.

A school district or state agency or state department collecting vital statistics to comply with a nondiscrimination law or to gather accurate public health, criminal, economic, or other data shall identify each individual in the collected data set as either male or female, based solely on the individual's reproductive biology and genetics at birth.