

March 6, 2025

Sixty-ninth
Legislative Assembly
of North Dakota

**PROPOSED AMENDMENTS TO
FIRST ENGROSSMENT**

ENGROSSED SENATE BILL NO. 2386

Introduced by

Senators Van Oosting, Gerhardt, Roers

Representatives Motschenbacher, Holle, Hauck

1 A BILL for an Act to amend and reenact subsection 3 of section 23-09.5-02 of the North Dakota
2 Century Code, relating to cottage food transactions; and to declare an emergency.

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

4 **SECTION 1. AMENDMENT.** Subsection 3 of section 23-09.5-02 of the North Dakota
5 Century Code is amended and reenacted as follows:

6 3. Transactions under this section may not:

7 a. ~~Involve interstate commerce;~~

8 b. ~~Be conducted over the internet or phone, through the mail, or by consignment;~~

9 e. Include the sale of uninspected products made from meat, except as provided
10 under subdivision ~~db~~; ~~or~~

11 ~~d.b.~~ Include the sale of uninspected products made from poultry, unless:

12 (1) The cottage food operator slaughters no more than one thousand poultry
13 raised by the cottage food operator during the calendar year;

14 (2) The cottage food operator does not buy or sell poultry products, except
15 products produced from poultry raised by the cottage food operator; and

16 (3) The poultry product is not adulterated or misbranded; ~~or~~ or

17 c. Include the sale of poultry products if the transaction involves interstate
18 commerce.

19 **SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure.