

**Sixty-ninth Legislative Assembly of North Dakota  
In Regular Session Commencing Tuesday, January 7, 2025**

SENATE BILL NO. 2386  
(Senators Van Oosting, Gerhardt, Roers)  
(Representatives Motschenbacher, Holle, Hauck)

AN ACT to amend and reenact subsection 3 of section 23-09.5-02 of the North Dakota Century Code, relating to cottage food transactions; and to declare an emergency.

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

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

3. Transactions under this section may not:
  - a. ~~Involve interstate commerce;~~
  - b. ~~Be conducted over the internet or phone, through the mail, or by consignment;~~
  - e. Include the sale of uninspected products made from meat, except as provided under subdivision ~~d~~b; ~~or~~
  - ~~d~~b. Include the sale of uninspected products made from poultry, unless:
    - (1) The cottage food operator slaughters no more than one thousand poultry raised by the cottage food operator during the calendar year;
    - (2) The cottage food operator does not buy or sell poultry products, except products produced from poultry raised by the cottage food operator; and
    - (3) The poultry product is not adulterated or misbranded; ~~;~~ or
  - c. Include the sale of poultry products if the transaction involves interstate commerce.

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

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-ninth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2386 and that two-thirds of the members-elect of the Senate voted in favor of said law.

Vote:        Yeas 45                      Nays 2                      Absent 0

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Secretary of the Senate

This certifies that two-thirds of the members-elect of the House of Representatives voted in favor of said law.

Vote:        Yeas 90                      Nays 1                      Absent 3

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
Chief Clerk of the House

Received by the Governor at \_\_\_\_\_ M. on \_\_\_\_\_, 2025.

Approved at \_\_\_\_\_ M. on \_\_\_\_\_, 2025.

\_\_\_\_\_  
Governor

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 2025,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State