CHAPTER 36-21.1
HUMANE TREATMENT OF ANIMALS

36-21.1-01. Definitions.
Repealed by S.L. 2013, ch. 260, § 4.

36-21.1-02. Overworking, mistreating, or abandoning animals.
Repealed by S.L. 2013, ch. 260, § 4.

36-21.1-03. Cruelty in transportation.
Repealed by S.L. 2013, ch. 260, § 4.

36-21.1-03.1. Unattended dog or cat in motor vehicle.
Repealed by S.L. 2013, ch. 260, § 4.

36-21.1-04. Poisoning animals.
Repealed by S.L. 2013, ch. 260, § 4.

36-21.1-05. Animal with infectious disease.
No person owning or having charge of any animal, knowing the animal to have any infectious or contagious disease, or to have recently been exposed thereto, may knowingly permit such animal to run at large or come into contact with another animal, or with another person without the person's knowledge and permission.

36-21.1-06. Exposure of animals - Authority of officers.
Repealed by S.L. 2013, ch. 260, § 4.

36-21.1-07. Cockfights, dogfights, and other exhibitions prohibited - Penalties.
1. No person may engage in or be employed at cockfighting, dogfighting, bearbaiting, pitting one animal against another, or any other similar cruelty, such as bear fighting, kangaroo boxing, or similar activity, to animals; nor may a person receive money for the admission of any person to any place used, or about to be used, for any such purpose, nor may a person willfully permit anyone to enter or use, for any such purpose, premises of which that person is the owner, agent, or occupant; nor may a person use, train, or possess a dog or other animal for the purpose of maltreating any domestic animal. Any person who violates this subsection is guilty of a class C felony.
2. No person may knowingly purchase a ticket of admission to, be present at, or witness the activities prohibited by subsection 1. Any person who violates this subsection is guilty of a class A misdemeanor.

36-21.1-08. Artificially colored animals - Sale.
No person may sell or offer for sale, raffle, offer, or give as a prize, premium, or advertising device, or display in any store, shop, carnival, or other public place, a chick, duckling, gosling, or rabbit which has been dyed or otherwise artificially colored.

36-21.1-09. Use of certain birds as advertising devices - Use of live beef or dairy cattle as raffle prizes - Gifts of animals.
1. No person may sell, offer for sale, raffle, offer, or give as a prize, premium, or use as an advertising device, chicks, ducklings, or goslings younger than four weeks of age in quantities of less than twelve birds to an individual person. Persons engaging in the business of selling chicks, ducklings, or goslings for agricultural or wildlife purposes are exempt from the provisions of this section, but only when selling for such purposes.
2. An eligible organization authorized to conduct games of chance under chapter 53-06.1 may raffle live beef or dairy cattle, bison, sheep, horses, and pigs, provided each raffle

ticket contains a statement that the person who wins the animal may convert that prize to a cash prize. The animal to be raffled may be donated to or purchased by the organization. The donor or seller of the animal shall determine the market value of the animal. If the person who wins the animal desires a cash prize instead of the animal, the organization shall pay the player a cash prize that must equal the lesser of the market value of the animal or the maximum single cash prize amount allowed under section 53-06.1-10.1.

3. A person may not give away any live animal, other than those authorized under subsections 1 and 2, as:
   a. A prize for, or as an inducement to enter any contest, game, or other competition;
   b. An inducement to enter a place of amusement; or
   c. An incentive to enter into any business agreement where the offer was for the purpose of attracting trade.
4. The provisions of subsection 3 do not apply to a person or organization that gives away an animal:
   a. As a project for the promotion of the equine and livestock industry of North Dakota;
   b. As a project for the promotion of conservation of animals and wildlife in North Dakota; or
   c. Which is intended for slaughter.

36-21.1-10. Care of animals used as advertising devices.

Every person who sells, offers for sale, raffles, offers, or gives as a prize, premium, or advertising device, chicks, ducklings, or goslings to the public, shall provide and operate brooders or other heating devices necessary to maintain the chicks, ducklings, or goslings in good health, and shall keep adequate food and water available to the birds at all times.

36-21.1-11. Penalty.

Any person knowingly and willfully violating any rule adopted by the board or violating any provision of this chapter for which a specific penalty is not provided is guilty of a class A misdemeanor.

36-21.1-12. Duties of board and commissioner.

Repealed by S.L. 2013, ch. 260, § 4.

36-21.1-13. Abandoned animals - Assumption of custody.

Repealed by S.L. 2013, ch. 260, § 4.

36-21.1-14. Assumption of custody - Immunity from liability.

Any sheriff, police officer, licensed veterinarian, investigator, or person who has custody of an animal under this chapter and who is acting in an official or professional capacity and making a good-faith effort to comply with this chapter is immune from any civil or criminal liability for acts taken or omitted while attempting to comply with this chapter.

36-21.1-15. Applicability of chapter.

This chapter does not apply to estrays covered under chapter 4.1-75.