

Fifty-seventh  
Legislative Assembly  
of North Dakota

## ENGROSSED SENATE BILL NO. 2449

Introduced by

Senators Mutch, Lyson, Stenehjem

Representatives Carlisle, Carlson, Porter

1 A BILL for an Act to create and enact a new section to chapter 20.1-03 of the North Dakota  
2 Century Code, relating to restrictions on guides and outfitters; and to amend and reenact  
3 subsection 17 of section 20.1-02-05 of the North Dakota Century Code, relating to the powers  
4 of the director of the game and fish department.

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

6 **SECTION 1. AMENDMENT.** Subsection 17 of section 20.1-02-05 of the 1999  
7 Supplement to the North Dakota Century Code is amended and reenacted as follows:

8 17. Subject to ~~the provisions of~~ chapter 28-32, adopt rules for the licensing of guides  
9 or outfitters; and may require records and reports as the director determines  
10 necessary. The director may, after due hearing as provided in chapter 28-32,  
11 revoke or refuse to renew the license of ~~any~~ a person who violates the rules or  
12 fails to provide the records and reports. ~~Any person who acts as a guide or~~  
13 ~~outfitter without a license is guilty of a class B misdemeanor.~~

14 **SECTION 2.** A new section to chapter 20.1-03 of the North Dakota Century Code is  
15 created and enacted as follows:

16 **Guides and outfitters - Rules - Restrictions.** An individual may not:

- 17 1. Act as a guide or outfitter or advertise or otherwise represent to the public that the  
18 individual is a guide or outfitter without first securing a license in accordance with  
19 this title and the applicable rules of the director;  
20 2. Act as a certified guide or outfitter or advertise or otherwise represent to the public  
21 that the individual meets the qualifications of being certified without first complying  
22 with section 20.1-03-36;  
23 3. Act as a hunting guide or outfitter on land owned by or leased by the department  
24 for the purpose of upland game hunting;

- 1           4. Act as a hunting guide or outfitter on land on which the department has obtained
- 2           an easement or has entered into a lease, granting the right of public access to that
- 3           land for hunting or recreational use for the purpose of upland game hunting;
- 4           5. Provide guiding or outfitting services to a person who has not obtained the
- 5           appropriate license for the species sought by that person; or
- 6           6. Willfully and substantially misrepresent that person's facilities, prices, equipment,
- 7           services, or hunting or fishing opportunities as a guide or outfitter.