

HOUSE BILL NO. 1222

Introduced by

Representatives Pollert, Eckre, Headland, Nicholas

Senators Erbele, Flakoll

1 A BILL for an Act to create and enact a new section to chapter 32-03 of the North Dakota
2 Century Code, relating to immunity for theft of anhydrous ammonia.

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

4 **SECTION 1.** A new section to chapter 32-03 of the North Dakota Century Code is
5 created and enacted as follows:

6 **Immunity for theft of anhydrous ammonia.** The owner of anhydrous ammonia is
7 immune from civil liability for any loss, damage, or injury from the theft by another or attempted
8 theft by another of anhydrous ammonia from the tank, equipment, or storage facility in which it
9 is contained. For purposes of this section, "owner" means:

- 10 1. Any person who lawfully owns anhydrous ammonia;
- 11 2. Any person who lawfully owns a container, equipment, or storage facility containing
12 anhydrous ammonia;
- 13 3. Any person responsible for the installation or operation of an anhydrous ammonia
14 container, equipment, or storage facility;
- 15 4. Any person who lawfully sells anhydrous ammonia;
- 16 5. Any person who lawfully purchases anhydrous ammonia for agricultural purposes;
17 and
- 18 6. Any person who operates or uses anhydrous ammonia containers, equipment, or
19 storage facilities when lawfully applying anhydrous ammonia for agricultural
20 purposes.