

HOUSE BILL NO.

Introduced by

Representative Metcalf

1 A BILL for an Act to amend and reenact section 36-21.1-09 of the North Dakota Century Code,
2 relating to the raffling of livestock.

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

4 **SECTION 1. AMENDMENT.** Section 36-21.1-09 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **36-21.1-09. Use of certain birds as advertising devices - Use of live beef or dairy**
7 **cattle as raffle prizes - Gifts of animals.**

- 8 1. No person may sell, offer for sale, raffle, offer, or give as a prize, premium, or use
9 as an advertising device, chicks, ducklings, or goslings younger than four weeks of
10 age in quantities of less than twelve birds to an individual person. Persons
11 engaging in the business of selling chicks, ducklings, or goslings for agricultural or
12 wildlife purposes are exempt from the provisions of this section, but only when
13 selling for such purposes.
- 14 2. An eligible organization authorized to conduct games of chance under
15 chapter 53-06.1 may raffle live beef or dairy cattle, bison, sheep, horses, and pigs,
16 provided each raffle ticket contains a statement that the person who wins the
17 animal may convert that prize to a cash prize. The animal to be raffled may be
18 donated to or purchased by the organization. The donor or seller of the animal
19 shall determine the market value of the animal. If the person who wins the animal
20 desires a cash prize instead of the animal, the organization shall pay the player a
21 cash prize that must equal the lesser of the market value of the animal or the
22 maximum single cash prize amount allowed under section 53-06.1-10.1.
- 23 3. A person may not give away any live animal, other than those authorized under
24 subsections 1 and 2, as:

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