

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1421

Page 1, line 1, after "to" insert "create and enact two new sections to chapter 36-21.1 of the North Dakota Century Code, relating to agricultural and game and fish activities; and to", replace "section" with "sections", and after "36-21.1-01" insert "and 36-21.1-02"

Page 1, line 13, after "2." insert:

"Adequate care" means normal and prudent attention to the needs of an animal, including wholesome food, clean water, shelter, and health care, as necessary to maintain good health in a specific species of animal.

3."

Page 1, line 14, overstrike "3." and insert immediately thereafter "4."

Page 1, line 15, overstrike "4." and insert immediately thereafter "5."

Page 1, line 16, remove "The"

Page 1, remove lines 17 through 19

Page 1, line 20, overstrike "5." and insert immediately thereafter "6."

Page 1, after line 21, insert:

**"SECTION 2. AMENDMENT.** Section 36-21.1-02 of the North Dakota Century Code is amended and reenacted as follows:

**36-21.1-02. Overworking, mistreating, or abandoning animals.**

1. No person may overdrive, overload, torture, cruelly beat, neglect, or unjustifiably injure, maim, mutilate, or kill any animal, or cruelly work any animal when unfit for labor.
2. No person may deprive any animal over which the person has charge or control of necessary food, water, or shelter.
3. No person may keep any animal in any ~~enclosure~~ building, room, cage, or pen without ~~exercise and wholesome change of air~~ adequate care.
4. No person may abandon any animal.
5. A person shall reclaim an animal within forty-eight hours of the agreed-upon time for termination of a boarding contract and pay all charges for boarding the animal.
6. No person may allow any maimed, sick, infirm, or disabled animal of which the person is the owner, or of which the person has custody, to lie in any street, road, or other public place for more than three hours after notice.
7. No person may willfully instigate, or in any way further, any act of cruelty to any animal or animals, or any act tending to produce such cruelty.

8. No person may cage any animal for public display purposes unless the display cage is constructed of solid material on three sides to protect the caged animal from the elements, and unless the horizontal dimension of each side of the cage is at least four times the length of the caged animal. This subsection does not apply to the North Dakota state fair association, to agricultural fair associations, to any agricultural display of caged animals by any political subdivision, or to district, regional, or national educational livestock or poultry exhibitions. Zoos which have been approved by the health district or the governing body of the political subdivision which has jurisdiction over the zoos are exempt from this subsection.

**SECTION 3.** A new section to chapter 36-21.1 of the North Dakota Century Code is created and enacted as follows:

**Animal husbandry - Agricultural management.** The usual and customary practices of animal husbandry and the usual and customary practices of a science-based agricultural management system do not constitute cruelty, torture, or the inhumane treatment of animals and a person who engages in these usual and customary practices is not in violation of this chapter.

**SECTION 4.** A new section to chapter 36-21.1 of the North Dakota Century Code is created and enacted as follows:

**Game and fish activities.** Any lawful activity under title 20.1 does not constitute cruelty, torture, or the inhumane treatment of animals and a person who engages in the lawful activity is not in violation of this chapter."

Renumber accordingly