

SENATE BILL NO.

Introduced by

Senator Olafson

1 A BILL for an Act to create and enact a new section to chapter 20.1-05 of the North Dakota
2 Century Code, relating to the hunting of big game with the aid of bait; and to provide a penalty.

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

4 **SECTION 1.** A new section to chapter 20.1-05 of the North Dakota Century Code is
5 created and enacted as follows:

6 **Hunting big game with the aid of bait prohibited - Penalty.** Except for organized
7 hunts for the disabled permitted and conducted in a manner authorized by the director, an
8 individual may not hunt big game using bait. For purposes of this section, an individual who is
9 hunting big game and who knows of, or should have known of, the presence of bait, is deemed
10 to be hunting with the aid of bait. An individual who provides services for big game hunting for
11 a fee, and who has placed bait, is also in violation of this section. Using bait includes hunting
12 big game from a tree stand, ground blind, vehicle, or stationary hiding place in the vicinity of
13 bait. Using bait does not include hunting by hunting or for flushing of big game in the vicinity of
14 bait. An individual who is hunting on private or public property that is adjacent to the property
15 where bait is present is not in violation of this section if the individual has not participated in,
16 been involved with, or agreed to the placement of bait on the adjacent property. An area is
17 considered baited for ten days after the complete removal of the bait or feed. As used in this
18 section, bait includes grain, seed, mineral, salt, fruit, vegetable, nut, hay, or any other natural or
19 manufactured food placed by an individual. Bait does not include agricultural practices,
20 gardens, wildlife food plots, agricultural crops, livestock feeds, fruit or vegetables in their natural
21 location, such as apples under or on an apple tree, or unharvested fruit or vegetables in a
22 garden. An individual who willfully violates this section is guilty of a class B misdemeanor for
23 the first offense and a class A misdemeanor for a subsequent offense.