

**HOUSE BILL NO. 1348**

Introduced by

Representatives D. Anderson, Boschee, C. Johnson, M. Nelson, Schmidt

Senators Bekkedahl, Dotzenrod, Klein, Oban, Piepkorn, Vedaa

1 A BILL for an Act to amend and reenact section 36-21.2-05 of the North Dakota Century Code,  
2 relating to the seizure of animals.

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

4 **SECTION 1. AMENDMENT.** Section 36-21.2-05 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **36-21.2-05. Seizure of animal - Court order.**

- 7 1. A law enforcement officer, upon a recommendation from a licensed veterinarian  
8 approved by the board of animal health, may petition the court for an order directing  
9 the seizure of any animal believed to have been neglected, abused, treated cruelly, or  
10 subjected to any act or omission in violation of this chapter.
- 11 2. The court, upon a recommendation from a licensed veterinarian approved by the  
12 board of animal health, may act without notice to the animal's owner or to the person  
13 having custody or control of the animal and may rely solely on testimony or an affidavit  
14 in considering the petition.
- 15 3. In the order for seizure, the court may direct that a veterinarian humanely destroy an  
16 animal if the veterinarian, upon examining the animal, determines that the animal is  
17 experiencing excruciating pain or suffering and that the animal's pain or suffering is not  
18 likely to be alleviated using reasonable medical interventions.