

Sixty-ninth
Legislative Assembly
of North Dakota

SENATE BILL NO. 2343

Introduced by

Senator Marcellais

Representatives Brown, Davis

1 A BILL for an Act to create and enact section 4.1-16-08.1 of the North Dakota Century Code,
2 relating to the placement or location of a beehive; and to provide a penalty.

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

4 **SECTION 1.** Section 4.1-16-08.1 of the North Dakota Century Code is created and enacted
5 as follows:

6 **4.1-16-08.1. Placement or location of a hive - Limitation.**

7 1. A beekeeper may not place or locate a hive within one-half mile [.80 kilometer] from
8 the nearest edge of a roadway within the state highway system as provided for in
9 chapter 24-01, or a federal highway within this state.

10 2. If the commissioner receives a complaint alleging a violation of this section, the
11 commissioner shall:

12 a. Note the date and time of the complaint;

13 b. Verify whether the placement or location cited in the complaint is in violation of
14 subsection 1; and, if so

15 c. (1) Contact the beekeeper, if known; and

16 (2) Direct that within forty-eight hours from the time of contact by the
17 commissioner, the beekeeper remove from the site all colonies, all hives
18 and content of the hives, and all beekeeping equipment.

19 3. If the beekeeper fails to meet the requirements of paragraph 2 of subdivision c of
20 subsection 2 or if the beekeeper is unknown, the agriculture commissioner shall
21 confiscate all colonies, the hives and content of the hives, and all beekeeping
22 equipment present at the site. The colonies, the hives and content, and all beekeeping
23 equipment must be disposed of pursuant to a court order or an administrative order
24 issued by the commissioner.

- 1 4. Any costs incurred by the agriculture commissioner in enforcing this section are the
- 2 responsibility of the beekeeper.