

**FIRST ENGROSSMENT  
with Senate Amendments  
ENGROSSED HOUSE BILL NO. 1474**

Introduced by

Representatives S. Olson, D. Anderson, Christensen, Kasper, Koppelman, Prichard, Steiner  
Senator Boehm

1 A BILL for an Act to amend and reenact section 1-01-49 and subsection 7 of section 51-35-01 of  
2 the North Dakota Century Code, relating to the definition of female, male, sex, and scrap metal  
3 dealer.

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

5 **SECTION 1. AMENDMENT.** Section 1-01-49 of the North Dakota Century Code is amended  
6 and reenacted as follows:

7 **1-01-49. Other general definitions.**

8 As used in this code, unless the context otherwise requires or unless otherwise defined:

9 1. "Depose" includes every mode of written statement under oath or affirmation.

10 2. "Executor" includes administrator and "administrator" includes executor.

11 3. "Female" means a girl, woman, or an individual whose biological reproductive system  
12 is developed to produce ova.

13 4. "Individual" means a human being.

14 5. "Male" means a boy, man, or an individual whose biological reproductive system is  
15 developed to produce sperm.

16 4.6. "Oath" includes "affirmation".

17 5.7. "Organization" includes a foreign or domestic association, business trust, corporation,  
18 enterprise, estate, joint venture, limited liability company, limited liability partnership,  
19 limited partnership, partnership, trust, or any legal or commercial entity.

20 6.8. "Partnership" includes a limited liability partnership registered under chapter 45-22.

21 7.9. "Penitentiary" includes any affiliated facilities.

22 8.10. "Person" means an individual, organization, government, political subdivision, or  
23 government agency or instrumentality.

Sixty-eighth  
Legislative Assembly

- 1     ~~9-11.~~ "Personal property" includes money, goods, chattels, things in action, and evidences  
2             of debt.
- 3     ~~10-12.~~ "Preceding" and "following" when used by way of reference to a chapter or other part  
4             of a statute means the next preceding or next following chapter or other part.
- 5     ~~11-13.~~ "Primary sector business" means an individual, corporation, limited liability company,  
6             partnership, or association certified by the department of commerce division of  
7             economic development and finance which through the employment of knowledge or  
8             labor adds value to a product, process, or service which results in the creation of new  
9             wealth.
- 10            For purposes of this subsection, "new wealth" means revenues generated by a  
11            business in this state through the sale of products or services to:
- 12            a.    Customers outside of this state; or
- 13            b.    Customers in this state if the products or services were previously unavailable or  
14            difficult to obtain from a business in this state.
- 15     ~~12-14.~~ "Process" means a writ or summons issued in the course of judicial proceedings.
- 16     ~~13-15.~~ "Property" includes property, real and personal.
- 17     ~~14-16.~~ "Real property" shall be coextensive with lands, tenements, and hereditaments.
- 18     ~~15-17.~~ "Rule" includes regulation.
- 19     ~~16-18.~~ "Sex" means the biological state of being male or female, based on the individual's  
20             nonambiguous sex organs, chromosomes, or endogenous hormone profiles at birth.
- 21     ~~17-19.~~ "Signature" or "subscription" includes "mark" when the person cannot write, the  
22             person's name being written near it and written by a person who writes that person's  
23             own name as a witness.
- 24     ~~18-20.~~ "State" when applied to the different parts of the United States, includes the District of  
25             Columbia and the territories.
- 26     ~~19-21.~~ "Testify" includes every mode of oral statement under oath or affirmation.
- 27     ~~20-22.~~ "United States" includes the District of Columbia and the territories.
- 28     ~~21-23.~~ "Will" includes codicils.
- 29     ~~22-24.~~ "Writ" means an order or precept in writing, issued in the name of the state or of a  
30             court or judicial officer.

1           **SECTION 2. AMENDMENT.** Subsection 7 of section 51-35-01 of the North Dakota Century  
2 Code is amended and reenacted as follows:

3           7. "Scrap metal dealer" means a person, as defined in ~~subsection 8 of~~ section 1-01-49,  
4           engaged in the business of purchasing, selling, trading, or bartering scrap metal, and  
5           includes all employees of the scrap metal dealer.