

HOUSE BILL NO. 1411

Introduced by

Representatives Trottier, Froseth

Senator Marcellais

1 A BILL for an Act to amend and reenact section 36-22-07 of the North Dakota Century Code or
2 in the alternative to amend and reenact section 4.1-75-07 of the North Dakota Century Code,
3 relating to estray lists.

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

5 **SECTION 1. AMENDMENT.** If House Bill No. 1026 does not become effective, section
6 36-22-07 of the North Dakota Century Code is amended and reenacted as follows:

7 **36-22-07. Publication of list of estrays.**

8 1. The secretary of the North Dakota stockmen's association shall annually during the
9 month of December send two lists of all unclaimed estrays, for which the association
10 has received payment, to the county auditor of each county from which the estrays
11 were originally shipped. Said county auditor shall post one copy thereof in a
12 conspicuous place in the courthouse and place one copy on file in the county auditor's
13 office. It is also the duty of the association to cause a notice that such estray lists have
14 been posted, to be advertised during the month of December of each year in the
15 county from which the estrays were originally shipped, said notice to appear at least
16 twice in the official newspaper of said county.

17 2. Once each month, the association shall post, at each livestock auction market and
18 buying station, an updated list of all estrays for which the association received sale
19 proceeds during the preceding seventy-two months.

20 **SECTION 2. AMENDMENT.** Section 4.1-75-07 of the North Dakota Century Code, as
21 created by section 4 of House Bill No. 1026, as approved by the sixty-third legislative assembly,
22 is amended and reenacted as follows:

1 **4.1-75-07. List of estrays - Publication - Proof of ownership.**

2 1. Each December, the North Dakota stockmen's association shall publish at least twice
3 in the official newspaper of each county, a list of all estrays found in the county and for
4 which the association received sale proceeds.

5 2. a. The association shall maintain and make available on its website an updated list
6 of all estrays for which the association received sale proceeds during the
7 preceding seventy-two months.

8 b. Once each month, the association shall post the list required by this subsection
9 at each livestock auction market and buying station.

10 3. If a person demonstrates ownership of an estray to the satisfaction of the chief brand
11 inspector within seventy-two months of the date on which the proceeds of its sale were
12 distributed to the North Dakota stockmen's association, the association shall return to
13 the owner the amount it received but shall retain any income earned on the amount.