

**FIRST ENGROSSMENT
with Conference Committee 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, subsection 3 of section 12.1-36.1-01 of
2 the North Dakota Century Code as created by section 1 of House Bill No. 1254, as approved by
3 the sixty-eighth legislative assembly, subsection 2 of section 15-10.6-01 of the North Dakota
4 Century Code as created by section 1 of House Bill No. 1489, as approved by the sixty-eighth
5 legislative assembly, subsection 2 of section 15.1-41-01 of the North Dakota Century Code as
6 created by section 1 of House Bill No. 1249, as approved by the sixty-eighth legislative
7 assembly, subsection 20 of section 23-02.1-01 of the North Dakota Century Code as amended
8 in section 1 of House Bill No. 1139, as approved by the sixty-eighth legislative assembly, and
9 subsection 7 of section 51-35-01 of the North Dakota Century Code, relating to the definition of
10 female, male, sex, and scrap metal dealer.

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

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

14 **1-01-49. Other general definitions.**

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

- 16 1. "Depose" includes every mode of written statement under oath or affirmation.
- 17 2. "Executor" includes administrator and "administrator" includes executor.
- 18 3. "Female" means a girl, woman, or an individual whose biological reproductive system
19 is developed to produce ova.
- 20 4. "Individual" means a human being.
- 21 5. "Male" means a boy, man, or an individual whose biological reproductive system is
22 developed to produce sperm.
- 23 4-6. "Oath" includes "affirmation".

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- 1 ~~5-7.~~ "Organization" includes a foreign or domestic association, business trust, corporation,
2 enterprise, estate, joint venture, limited liability company, limited liability partnership,
3 limited partnership, partnership, trust, or any legal or commercial entity.
- 4 ~~6-8.~~ "Partnership" includes a limited liability partnership registered under chapter 45-22.
- 5 ~~7-9.~~ "Penitentiary" includes any affiliated facilities.
- 6 ~~8-10.~~ "Person" means an individual, organization, government, political subdivision, or
7 government agency or instrumentality.
- 8 ~~9-11.~~ "Personal property" includes money, goods, chattels, things in action, and evidences
9 of debt.
- 10 ~~10-12.~~ "Preceding" and "following" when used by way of reference to a chapter or other part
11 of a statute means the next preceding or next following chapter or other part.
- 12 ~~11-13.~~ "Primary sector business" means an individual, corporation, limited liability company,
13 partnership, or association certified by the department of commerce division of
14 economic development and finance which through the employment of knowledge or
15 labor adds value to a product, process, or service which results in the creation of new
16 wealth.
- 17 For purposes of this subsection, "new wealth" means revenues generated by a
18 business in this state through the sale of products or services to:
- 19 a. Customers outside of this state; or
- 20 b. Customers in this state if the products or services were previously unavailable or
21 difficult to obtain from a business in this state.
- 22 ~~12-14.~~ "Process" means a writ or summons issued in the course of judicial proceedings.
- 23 ~~13-15.~~ "Property" includes property, real and personal.
- 24 ~~14-16.~~ "Real property" shall be coextensive with lands, tenements, and hereditaments.
- 25 ~~15-17.~~ "Rule" includes regulation.
- 26 ~~16-18.~~ "Sex" means the biological state of being male or female, based on the individual's
27 nonambiguous sex organs, chromosomes, or endogenous hormone profiles at birth.
- 28 ~~19.~~ "Signature" or "subscription" includes "mark" when the person cannot write, the
29 person's name being written near it and written by a person who writes that person's
30 own name as a witness.

1 ~~17-20.~~ "State" when applied to the different parts of the United States, includes the District of
2 Columbia and the territories.

3 ~~18-21.~~ "Testify" includes every mode of oral statement under oath or affirmation.

4 ~~19-22.~~ "United States" includes the District of Columbia and the territories.

5 ~~20-23.~~ "Will" includes codicils.

6 ~~21-24.~~ "Writ" means an order or precept in writing, issued in the name of the state or of a
7 court or judicial officer.

8 **SECTION 2. AMENDMENT.** Subsection 3 of section 12.1-36.1-01 of the North Dakota
9 Century Code as created by section 1 of House Bill No. 1254, as approved by the sixty-eighth
10 legislative assembly, is amended and reenacted as follows:

11 3. "Sex" means the biological state of being female or male, based on an individual's
12 nonambiguous sex organs, chromosomes, ~~and~~or endogenous hormone profile at birth.

13 **SECTION 3. AMENDMENT.** Subsection 2 of section 15-10.6-01 of the North Dakota
14 Century Code as created by section 1 of House Bill No. 1489, as approved by the sixty-eighth
15 legislative assembly, is amended and reenacted as follows:

16 2. "Sex" means the biological state of being female or male, based on an individual's
17 nonambiguous sex organs, chromosomes, ~~and~~or endogenous hormone profile at birth.

18 **SECTION 4. AMENDMENT.** Subsection 2 of section 15.1-41-01 of the North Dakota
19 Century Code as created by section 1 of House Bill No. 1249, as approved by the sixty-eighth
20 legislative assembly, is amended and reenacted as follows:

21 2. "Sex" means the biological state of being female or male, based on an individual's
22 nonambiguous sex organs, chromosomes, ~~and~~or endogenous hormone profile at birth.

23 **SECTION 5. AMENDMENT.** Subsection 20 of section 23-02.1-01 of the North Dakota
24 Century Code as amended in section 1 of House Bill No. 1139, as approved by the sixty-eighth
25 legislative assembly, is amended and reenacted as follows:

26 20. "Sex" means the biological state of being female or male, based on an individual's
27 nonambiguous sex organs, chromosomes, ~~and~~or endogenous hormone profile at birth.

28 **SECTION 6. AMENDMENT.** Subsection 7 of section 51-35-01 of the North Dakota Century
29 Code is amended and reenacted as follows:

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