

Introduced by

Senators Meyer, Kannianen, Vedaa

Representatives Dockter, Hatlestad, B. Koppelman

1 A BILL for an Act to create and enact a new section to chapter 11-10 and a new section to
2 chapter 40-05 of the North Dakota Century Code, relating to the authority of a political
3 subdivision to regulate the sale of consumer merchandise.

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

5 **SECTION 1.** A new section to chapter 11-10 of the North Dakota Century Code is created
6 and enacted as follows:

7 **Restriction - Consumer merchandise.**

- 8 1. For purposes of this section, "consumer merchandise" means merchandise offered for
9 sale or lease, or provided with a sale or lease, primarily for personal, family, or
10 household purposes.
11 2. Notwithstanding section 11-09.1-05 and subsection 4 of section 12.1-31-03, a county,
12 including a home rule county or any agency of the county, may not adopt an
13 ordinance, motion, resolution, or amendment that sets standards or requirements
14 regarding the sale or marketing of consumer merchandise which are different from or
15 in addition to any requirement established by state law.

16 **SECTION 2.** A new section to chapter 40-05 of the North Dakota Century Code is created
17 and enacted as follows:

18 **Restriction - Consumer merchandise.**

- 19 1. For purposes of this section, "consumer merchandise" means merchandise offered for
20 sale or lease, or provided with a sale or lease, primarily for personal, family, or
21 household purposes.
22 2. Notwithstanding section 40-05.1-06 and subsection 4 of section 12.1-31-03, a city,
23 including a home rule city or any agency of the city, may not adopt an ordinance,
24 motion, resolution, or amendment that sets standards or requirements regarding the

- 1 sale or marketing of consumer merchandise which are different from or in addition to
- 2 any requirement established by state law.