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## **Requirements for Grain Dealers**

**State of North Dakota**

*Licensing*

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## Requirements for Grain Dealers

### STATE OF NORTH DAKOTA

*Current with legislation from the 2013 Regular Sess. of the 63rd Legislative Assembly*

#### **NDCC, 60-02.1-07**

#### **§ 60-02.1-07. Grain buyer license--How obtained--Fee--Financial statement**

Grain buyers must obtain an annual license from the commission. Except as provided in this section, each license expires on July thirty-first of each year. When a licensee's initial license is issued effective after May thirty-first, that license expires on July thirty-first of the following year. A facility-based grain buyer must obtain a license for each receiving location operated in the state. If a grain buyer operates two or more facilities in the same city or siding, in conjunction with each other and with the same working force, and where but one set of books and records is kept for all such facilities, and scale tickets and checks of but one series are issued for the grain, purchased, only one license is required for the operation of all such facilities. The annual license fee for a facility-based grain buyer is three hundred dollars and a license renewal application that is received after July fifteenth must be assessed an additional one hundred dollar fee per receiving location.

If required to obtain United States department of agriculture approval of the commission's grain buyer inspection program, the commission may require that grain buyers submit a current financial statement prepared in accordance with generally accepted accounting principles. A financial statement furnished under this section is a confidential trade secret and is not a public record.

#### **NDCC, 60-02.1-07.1**

#### **§ 60-02.1-07.1. Roving grain buyer license--How obtained--Fee**

Roving grain buyers that purchase, solicit, merchandise, or take possession of grain in this state must obtain an annual license from the commission. Except as provided in this section, each license expires on July thirty-first of each year. When a licensee's initial license is issued effective after May thirty-first, that license expires on July thirty-first of the following year. The annual license fee for a roving grain buyer is two hundred dollars, and a license renewal application that is received after July fifteenth must be assessed an additional one hundred dollar fee.

#### **NDCC, 60-02.1-10**

#### **§ 60-02.1-10. Grain buyer license to be posted or carried--Penalty**

The license obtained by a facility-based grain buyer shall be posted in a conspicuous place in the buyer's facility. A roving grain buyer shall have the buyer's license in possession at all times. A grain buyer who transacts business without first procuring a license and giving a bond is guilty of a class B misdemeanor.

**NDCC, 60-02.1-11**

**§ 60-02.1-11. Revocation and suspension**

The commission may suspend or revoke the license of any grain buyer for cause upon notice and hearing. Notwithstanding any other provisions of this chapter, the license of a grain buyer must automatically be suspended for failure at any time to have or to maintain either a bond or insurance policy in the amount and type required. During a suspension of a license a facility-based grain buyer, upon the commission's approval, may operate its facility and purchase or redeliver grain previously received, but may not receive additional grain for purchase, shipping, or processing. Grain may be sold only with the prior approval of the commission.

**NDCC, 60-02.1-22**

**§ 60-02.1-22. Insurance--Cancellation--Suspension of license**

An insurance company shall give at least sixty days' notice to the commission and the insured by registered mail return receipt requested before cancellation of an insurance policy required in section 60-02.1-21. Unless the grain buyer files proof of new or renewed insurance at least thirty days before the existing policy ceases, the commission, without hearing, shall immediately suspend the grain buyer's license and the suspension may not be removed until a new policy has been filed and approved by the commission.