

Fifty-fifth
Legislative Assembly
of North Dakota

SENATE BILL NO. 2062

Introduced by

Senator Lips

1 A BILL for an Act to amend and reenact sections 27-25-04 and 44-02-08 of the North Dakota
2 Century Code, relating to appointments to fill vacancies in state offices.

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

4 **SECTION 1. AMENDMENT.** Section 27-25-04 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **27-25-04. Governor to appoint or call special election.** Within thirty days after
7 receipt of the list of nominees, the governor shall do any of the following:

- 8 1. Fill the vacancy by appointment from the list of nominees submitted by the
9 committee. ~~The appointment continues only until the next general election, when~~
10 ~~the office must be filled by election for the remainder of the term.~~
11 2. Return the list of nominees and direct the committee to reconvene.
12 3. Call a special election to fill the vacancy for the remainder of the term.

13 If the governor determines to call a special election to fill the vacancy, the governor shall issue
14 a writ of election to the auditors of the counties in the district in which the district vacancy
15 occurs commanding them to notify the boards of election in the counties to hold a special
16 election at a time designated by the governor. If the governor determines to call a special
17 election within sixty days of the time of the next general election, the special election must be
18 held at the same time as the general election.

19 **SECTION 2. AMENDMENT.** Section 44-02-08 of the North Dakota Century Code is
20 amended and reenacted as follows:

21 **44-02-08. Appointment to be made in writing - Term.** Any appointment to fill a
22 vacancy under ~~the provisions of this chapter must be made in writing, and, except as. An~~
23 appointment to a state office continues for the remainder of the term. Unless otherwise
24 expressly provided by law, any other appointment continues in force until the first general

- 1 election thereafter, when the vacancy will be filled by election, and thereafter until the
- 2 appointee's successor by election is qualified.