

Fifty-fifth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1127

Introduced by

Political Subdivisions Committee

(At the request of the Secretary of State)

1 A BILL for an Act to amend and reenact subsection 5 of section 15-28-03, and sections
2 15-28-06 and 40-21-02 of the North Dakota Century Code, relating to election notices in
3 combined county, city, or school district elections.

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

5 **SECTION 1. AMENDMENT.** Subsection 5 of section 15-28-03 of the 1995 Supplement
6 to the North Dakota Century Code is amended and reenacted as follows:

7 5. If the school election is held in conjunction with the primary election, the school
8 board may enter into an agreement with the governing body of the county or
9 counties in which the district lies concerning use of a single canvassing board, the
10 sharing of election personnel, the printing of election materials, the publishing of
11 legal notices, and the apportioning of election expenses.

12 **SECTION 2. AMENDMENT.** Section 15-28-06 of the North Dakota Century Code is
13 amended and reenacted as follows:

14 **15-28-06. Annual and special elections - Notice.** Notice of the annual school district
15 election and notice of special school elections must be given by the school board. At least
16 fourteen days before the date the election is to be held the school board must cause to be
17 published, in the official newspaper of the school district, notice of the election. ~~Such~~ The
18 notice must be signed by the business manager of the school district, or in the business
19 manager's absence by the president of the school board, and must state the time and place of
20 holding the election, and the matter to be voted upon. When a school district enters into an
21 agreement with the county to hold the school district election in conjunction with the primary
22 election pursuant to section 15-28-03, the deadline for giving notice of the school district
23 election along with the matter to be voted upon may be adjusted in order to meet the publishing
24 requirements of the county.

1 **SECTION 3. AMENDMENT.** Section 40-21-02 of the 1995 Supplement to the North
2 Dakota Century Code is amended and reenacted as follows:

3 **40-21-02. City elections - When held - Notice - Polls - Agreements with counties -**
4 **Judges and inspectors.** Biennial municipal elections must be held on the second Tuesday in
5 June in each even-numbered year. Ten days' notice of the time and place of the election and
6 of the offices to be filled at ~~such~~ the election must be given by the city auditor by publication in
7 the official newspaper of the city as provided by section 40-01-09. The governing body of a city
8 shall enter into an agreement with the governing body of the county or counties in which the city
9 lies concerning the use of a single canvassing board, the sharing of election personnel, the
10 printing of election materials, the publishing of legal notices, and the apportioning of election
11 expenses. For city elections that are not held under an agreement with any county the
12 governing body of the city shall appoint one inspector, two clerks, and two judges of election for
13 each precinct in the city at least ten days before the election is held and the polls must be
14 opened and closed as provided for the opening and closing of polls at statewide elections. For
15 a city election that is not held under an agreement with any county in a precinct in which
16 seventy-five or fewer votes were cast in the last city election, the governing body of the city may
17 appoint one inspector and one judge. When a city enters into an agreement with the county to
18 hold the city election in conjunction with the county election, the deadline for giving notice of the
19 city election along with the offices to be filled at the election may be adjusted in order to meet
20 the publishing requirements of the county.