

Fifty-seventh
Legislative Assembly
of North Dakota

SENATE BILL NO. 2146

Introduced by

Political Subdivisions Committee

(At the request of the Secretary of State)

1 A BILL for an Act to amend and reenact section 40-05.1-05 of the North Dakota Century Code,
2 relating to the places to file home rule charter; and to declare an emergency.

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

4 **SECTION 1. AMENDMENT.** Section 40-05.1-05 of the 1999 Supplement to the North
5 Dakota Century Code is amended and reenacted as follows:

6 **40-05.1-05. Ratification by majority vote - Supersession of existing charter and**
7 **state laws in conflict therewith - Filing of copies of new charter.** If a majority of the
8 qualified voters voting on the charter at the election vote in favor of the home rule charter, the
9 charter is ratified and is the organic law of the city, and extends to all its local and city matters.
10 The charter and the ordinances made pursuant to the charter in such matters supersede within
11 the territorial limits and other jurisdiction of the city any law of the state in conflict with the
12 charter and ordinances, and must be liberally construed for such purposes. One copy of the
13 charter ratified and approved must be filed with the secretary of state; ~~one with the register of~~
14 ~~deeds for the county in which the city is located, unless the board of county commissioners~~
15 ~~designates a different official;~~ and one with the auditor of the city to remain as a part of its
16 permanent records. Thereupon the courts shall take judicial notice of the new charter.

17 **SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure.