

**SENATE BILL NO. 2294**

Introduced by

Senators Bercier, Seymour

Representatives Boe, Maragos, Sandvig, Schmidt

1 A BILL for an Act to amend and reenact sections 54-03-02, 54-03-02.1, and 54-35-16 of the  
2 North Dakota Century Code, relating to reconvened regular sessions of the legislative assembly  
3 in even-numbered years for budget adjustment purposes.

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

5 **SECTION 1. AMENDMENT.** Section 54-03-02 of the North Dakota Century Code is  
6 amended and reenacted as follows:

7 **54-03-02. When legislative assembly meets.**

- 8 1. The legislative assembly shall meet at the seat of government in the month of  
9 December following the election of the members thereof for organizational and  
10 orientation purposes and shall thereafter recess until the time provided in  
11 subsection 2.
- 12 2. The legislative assembly shall reconvene at twelve noon on the first Tuesday after  
13 the third day in January of the year following the organizational session as  
14 provided in subsection 1 or at twelve noon on a date selected by the legislative  
15 council but not earlier than January second nor later than January eleventh of the  
16 year following the organizational session and, following the close of business of the  
17 regular session, shall ~~adjourn subject to~~ recess until the time provided in  
18 subsection 3.
- 19 3. The legislative assembly shall reconvene at twelve noon on a date selected by the  
20 legislative council but not earlier than January second nor later than February  
21 twenty-eighth of each even-numbered year. At the session provided for by this  
22 subsection, the legislative assembly shall meet primarily for budget adjustment  
23 purposes in order to fulfill legislative responsibilities to determine revenues and  
24 appropriations for state services in those years the legislative assembly is not in

1           regular session, including a review of the fiscal situation of the state to make  
2           corrections in budgets or taxes and to avoid excessive taxation. Before  
3           consideration of any bill or resolution during the session provided by this  
4           subsection, the legislative assembly shall adopt rules limiting the introduction of  
5           bills and resolutions for consideration during this session to bills and resolutions  
6           relating only to budget adjustment purposes or subjects requiring immediate action  
7           of the legislative assembly. The number of natural days used may not exceed the  
8           number of natural days available under the constitution which have not been  
9           previously used by that legislative assembly.

10          4. Notwithstanding a motion to adjourn sine die, the legislative assembly shall  
11          reconvene as determined by the legislative council. The number of natural days  
12          used may not exceed the number of natural days available under the constitution  
13          which have not been previously used by that legislative assembly in regular  
14          session under ~~subsection~~ subsections 2 and 3.

15          **SECTION 2. AMENDMENT.** Section 54-03-02.1 of the North Dakota Century Code is  
16          amended and reenacted as follows:

17          **54-03-02.1. Definitions.** For the purposes of this chapter and chapter 54-03.1:

- 18          1. "Organizational session" means the meeting of the legislative assembly for  
19          organizational and orientation purposes held during the month of December in the  
20          even-numbered years.
- 21          2. "Regular session" means the legislative session commencing in January of the  
22          odd-numbered years and includes the legislative session commencing in January  
23          or February of the even-numbered years or any reconvened legislative session, as  
24          provided in section 54-03-02.

25          **SECTION 3. AMENDMENT.** Section 54-35-16 of the North Dakota Century Code is  
26          amended and reenacted as follows:

27          **54-35-16. Authority to determine if legislative assembly meets.** The council may  
28          issue a call for the legislative assembly to convene after it has adjourned ~~under subsection 2 of~~  
29          ~~section 54-03-02.~~ The length of a legislative session called under this section may not exceed  
30          the number of natural days available under the constitution which have not been used by that  
31          legislative assembly. The council may exercise this authority, and the legislative assembly shall

Fifty-fifth  
Legislative Assembly

- 1 meet, regardless of whether the motion to close the regular session of the legislative assembly
- 2 was to recess to a time certain, adjourn to a time certain, or adjourn sine die.