

Sixty-first
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1395

Introduced by

Representatives Kasper, Grande, L. Meier, Thoreson

Senators Freborg, Wardner

1 A BILL for an Act to amend and reenact section 16.1-04-01 of the North Dakota Century Code,
2 relating to the establishment of precincts and designation of voting places.

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

4 **SECTION 1. AMENDMENT.** Section 16.1-04-01 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **16.1-04-01. Precincts - Duties and responsibilities of the board of county**
7 **commissioners or the governing body of the city.**

8 1. The board of county commissioners of each county:
9 ~~4. Shall~~ shall divide the county into precincts and establish the precinct boundaries,
10 except that within the boundaries of any incorporated city, the governing body of
11 the city shall divide the city into precincts and establish their boundaries pursuant
12 to title 40. Any number of townships or parts of townships may be joined into a
13 single precinct provided that no precinct may encompass more than one legislative
14 district. Each legislative district must be divided into at least four precincts. If a
15 legislative district encompasses more than one county, the appropriate governing
16 bodies shall collaborate to ensure that the legislative district is divided into at least
17 four precincts. Notwithstanding section 16.1-04-02, at least one voting place must
18 be designated within at least four separate precincts within a legislative district.
19 2. ~~May~~ The board of county commissioners of each county may alter the number and
20 size of precincts within the county by combining or dividing precincts. However,
21 the governing body of any incorporated city has the authority to alter the number
22 and size of precincts located within its boundaries. The board of county
23 commissioners may relinquish the jurisdiction provided under subsection 1 over all
24 or any portion of a township or townships under its jurisdiction to a city for the

1 purpose of establishing a voting precinct if a majority of the governing body of the
2 city agrees to assume such jurisdiction. The governing body of a city, by majority
3 vote, may return jurisdiction granted herein to the county and the county shall
4 accept that jurisdiction.