

Sixty-first
Legislative Assembly
of North Dakota

HOUSE BILL NO.

Introduced by

Representative Rust

1 A BILL for an Act to create and enact section 16.1-13-08.1 of the North Dakota Century Code,
2 relating to the call for a special election to fill vacancy in the United States House of
3 Representatives due to a catastrophic circumstance.

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

5 **SECTION 1.** Section 16.1-13-08.1 of the North Dakota Century Code is created and
6 enacted as follows:

7 **16.1-13-08.1. Special election to fill a vacancy in the United States House of**
8 **Representatives due to a catastrophic circumstance.** If a vacancy occurs in the office of
9 representative in congress due to a catastrophic circumstance in which one hundred or more
10 representatives across the United States are no longer able to serve and the next regular or
11 special election is more than seventy-five days in the future, the governor shall immediately
12 issue a writ of election calling a special election to fill the vacancy. The date of the election
13 shall be forty-nine days from the date of the proclamation and the following deadlines shall
14 apply:

- 15 1. Certificate of endorsement as described in 16.1-11-09, affidavits of candidacy
16 described in 16.1-11-10, and statements of interest described in 16.1-09-03 for
17 those candidates nominated by political parties currently established in the state
18 shall be filed with the secretary of state by four p.m. on the fortieth day before the
19 election.
- 20 2. If the election occurs in an election year, the precincts previously established by
21 the county shall be utilized.
- 22 3. If the election occurs in a year without a scheduled election, the board of county
23 commissioners must establish the precinct boundaries by the fortieth day before
24 the election.

- 1 4. The secretary of state shall certify to the county auditors the names of the
- 2 candidates for the election on the thirty-ninth day before the election.
- 3 5. Absentee ballots shall be made available to qualified electors by the thirtieth day
- 4 before the election.