

Sixty-second
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1283

Introduced by

Representatives Kasper, Grande, Thoreson, Wrangham

Senators Hogue, Olafson

1 A BILL for an Act to amend and reenact section 16.1-07-09 of the North Dakota Century Code,
2 relating to canvassing of absentee ballots.

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

4 **SECTION 1. AMENDMENT.** Section 16.1-07-09 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **16.1-07-09. Canvassing of mailed absent voter's ballots received late.**

7 1. In the case of congressional, state, county, city, or school district elections, if an
8 envelope postmarked or otherwise officially marked by the United States postal
9 service or other mail delivery system on or before the date of election and containing
10 an absent voter's ballot is received by the officer too late to be forwarded to the proper
11 voting precinct in time to be tabulated, but within two days after the election, the ballot
12 must be tallied by the canvassing board of the county, the governing body of the city,
13 or the school board of the school district, as the case may be, at the time the returns
14 are canvassed.

15 2. Any envelope without a postmark or other official marking by the United States postal
16 service or other mail delivery system or with an illegible postmark or other official
17 marking and containing an absentee voter's ballot must be received by mail by the
18 proper officer within two days after the election to be canvassed and counted.

19 3. An absent voter may personally deliver the absent voter's ballot to the appropriate
20 officer's office at any time before five p.m. on the day before the election.

21 4. Before forwarding any ballot to a canvassing board pursuant to this section, the officer
22 forwarding the ballot shall print the date of receipt on the envelope. Upon receipt, the
23 canvassing board shall determine that the elector was qualified to vote in that precinct,
24 that the elector did not previously vote in that precinct on the date of the election, and

- 1 that the signatures on the absentee ballot application and the voter's affidavit were
- 2 signed by the same ~~person~~individual before allowing the ballot to be tallied.