

Sixty-second
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1431

Introduced by

Representatives Boehning, Carlson, Koppelman, Owens, Thoreson

1 A BILL for an Act to amend and reenact section 16.1-11.1-01 of the North Dakota Century Code,
2 relating to mail ballot elections.

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

4 **SECTION 1. AMENDMENT.** Section 16.1-11.1-01 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **16.1-11.1-01. Counties may conduct mail ballot elections - Polling places - Records.**

7 ~~The board of county commissioners of a county may conduct an election by mail ballot. The~~
8 ~~mail ballot election must include city elections administered by the county auditor and may~~
9 ~~include any other election administered by the county auditor pursuant to an agreement with the~~
10 ~~governing body of a political subdivision within the county. The board shall designate one or~~
11 ~~more polling places in the county to be open on the day of the election for voting in the usual~~
12 ~~manner. The county auditor shall place a notice at all polling places in the county used at the~~
13 ~~last statewide election which states the location of the polling places open for the election. The~~
14 ~~county auditor shall keep a record of each mail ballot provided to qualified electors and provide~~
15 ~~to the election board at each polling place open on the day of the election a list of every person~~
16 ~~who applied for a mail ballot.~~

- 17 1. The board of county commissioners of a county, by resolution, may elect to conduct an
18 election in the county by mail ballot.
- 19 2. The qualified electors of a county may petition the board of county commissioners to
20 request that elections be conducted, or discontinue being conducted, in the county by
21 mail ballot. Upon receipt of a petition signed by at least ten percent of the qualified
22 electors of the county as determined by the vote cast for the office of governor at the
23 last general election, the board of county commissioners shall place on the ballot at
24 the next primary or general election the question of whether mail ballot elections may

1 be used in the county. The board of county commissioners shall conduct subsequent
2 elections in the manner determined by a majority vote of the qualified electors of the
3 county.

4 3. A mail ballot election must include city elections administered by the county auditor
5 and may include any other election administered by the county auditor pursuant to an
6 agreement with the governing body of a political subdivision within the county. The
7 board shall designate one or more polling places in the county to be open on the day
8 of the election for voting in the usual manner. The county auditor shall place a notice
9 at all polling places in the county used at the last statewide election which states the
10 location of the polling places open for the election. The county auditor shall keep a
11 record of each mail ballot provided to qualified electors and provide to the election
12 board at each polling place open on the day of the election a list of every person who
13 applied for a mail ballot.

14 **SECTION 2. APPLICATION.** A county that is conducting elections by mail ballot before
15 August 1, 2011, may continue to conduct elections by mail ballot.