

Sixty-third  
Legislative Assembly  
of North Dakota

**HOUSE BILL NO. 1428**

Introduced by

Representatives Monson, Bellew, Damschen, Headland, Karls, Kasper, Owens, Skarphol,  
Streyle, Wieland

Senators Luick, Sitte

1 A BILL for an Act to create and enact a new section to chapter 54-03 of the North Dakota  
2 Century Code, relating to review of presidential executive orders.

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

4 **SECTION 1.** A new section to chapter 54-03 of the North Dakota Century Code is created  
5 and enacted as follows:

6 **Review of presidential executive orders.**

7 ~~The state of North Dakota reserves the right to review and, through the legislative~~  
8 ~~assembly, approve or reject any executive order issued by the president of the United States~~  
9 ~~which has not been affirmed by a vote of the United States Congress and signed into law as~~  
10 ~~prescribed by the Constitution of the United States. The legislative management may review~~  
11 ~~and temporarily suspend the implementation in this state of any such executive order not~~  
12 ~~affirmed by the Congress until the legislative assembly, in the next regular or special legislative~~  
13 ~~session, has the opportunity to consider each order referred to it by the legislative management.~~  
14 ~~The legislative assembly may consider for approval or rejection any executive order issued~~  
15 ~~since two calendar years before the effective date of this Act.~~ The legislative management may  
16 review any executive order issued by the president of the United States which has not been  
17 affirmed by a vote of the Congress of the United States and signed into law as prescribed by the  
18 Constitution of the United States and recommend to the attorney general and the governor that  
19 the executive order be further reviewed to determine the constitutionality of the order and  
20 whether the state should seek an exemption from the application of the order or seek to have  
21 the order declared to be an unconstitutional exercise of legislative authority by the president.