

Sixty-sixth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1210

Introduced by

Representatives Kading, Heinert, Howe, Louser, M. Ruby, Trottier

Senators Kannianen, Unruh

1 A BILL ~~for an Act to amend and reenact section 40-21-01 of the North Dakota Century Code,~~
2 ~~relating to qualified electors in city elections.~~ for an Act to create and enact a new section to
3 chapter 11-10 of the North Dakota Century Code, relating to special elections for property
4 owners in a proposed extraterritorial zoning area.

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

6 ~~— **SECTION 1. AMENDMENT.** Section 40-21-01 of the North Dakota Century Code is~~
7 ~~amended and reenacted as follows:~~

8 ~~— **40-21-01. Qualified electors in municipal city election -- Restrictions.**~~

9 ~~— 1. Every resident of a municipality and any resident of the extraterritorial zoning~~
10 ~~jurisdiction of the city who is qualified to vote therein at general elections may vote at~~
11 ~~all municipal city elections held therein. When by that city.~~

12 ~~— 2. Except as provided in subsection 3, when elections are held by wards or precincts, a~~
13 ~~person an individual may not vote in any place other than the ward or precinct of which~~
14 ~~the person individual is a resident.~~

15 ~~— 3. An individual who is a resident of the extraterritorial zoning jurisdiction of the city is~~
16 ~~entitled to vote in the ward or precinct to which that area of the jurisdiction has been~~
17 ~~designated to vote by the governing body of the city.~~

18 **SECTION 1.** A new section to chapter 11-10 of the North Dakota Century Code is created
19 and enacted as follows:

20 **Special election - Zoning.**

21 1. Notwithstanding any other provision of law, the board of county commissioners shall
22 call a special election to allow owners of property in a proposed extraterritorial zone,
23 as provided in section 40-47-01.1, to vote on the proposed extension of extraterritorial

- 1 zoning authority. The outcome of the vote is binding on the city seeking to extend the
- 2 extraterritorial zone.
- 3 2. The board of county commissioners shall provide notice of the proposed change and
- 4 date of the special election through certified mail to each property owner that would be
- 5 impacted by the proposed change.
- 6 3. An election relating to a proposal to extend extraterritorial zoning authority over the
- 7 same area may not be held more often than once in any twelve-month period.