



March 6, 2025

House Political Subdivisions

SB 2324

Representative Longmuir, Chair

For the record, I am Stephanie Dassinger Engebretson. I am appearing on behalf of the North Dakota League of Cities, in support of SB 2324. I am the deputy director and attorney for the North Dakota League of Cities.

SB 2324 creates a tool for cities and counties to update their home rule charters when a legislative change or a court ruling makes language in their home rule charter obsolete. Currently, language in a home rule charter can only be changed through a public vote. This creates a potentially awkward situation if a city or county seeks to update the language in their home rule charter to conform with the law but the public votes to keep the language in the charter. It also creates confusion when the public reads a home rule charter that has a power that has been invalidated in it and a member of the public does not have the legal background to understand that the authority no longer exists.

Under SB 2324, a city or county governing board can change the language in their home rule charter through a resolution when the language is preempted, superseded or invalidated by legislative act or court order. The resolution must specifically refer to the legislative act or court order and must be published either in the city or county's official newspaper or on the city or county's website within 30 days of adopting the resolution. The bill specifically provides that the city or county governing body cannot use this authority to add any powers to the home rule charter. Once the process is complete, the updated home rule charter must be filed in the North Dakota Secretary of State's office. This requirement is the same for newly adopted or amended home rule charters.

SB 2324 adds a necessary tool for city and county governing bodies to amend their home rule charters with a resolution to ensure the language stays in compliance with state law. The NDLC respectfully requests a Do Pass recommendation on SB 2324.