

Fifty-fifth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1228

Introduced by

Representative Keiser

1 A BILL for an Act to amend and reenact section 16.1-11-27 of the North Dakota Century Code,
2 relating to name rotation on ballots.

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

4 **SECTION 1. AMENDMENT.** Section 16.1-11-27 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **16.1-11-27. Arrangement of names on ballots and voting machines.**

- 7 ~~1-. On sample ballots, the names of candidates for each office must be arranged~~
8 ~~alphabetically according to surnames.~~
- 9 ~~2-. On the official ballot used at the election, including electronic voting system ballots,~~
10 ~~the names of candidates beside or under headings designating each office to be~~
11 ~~voted for must be alternated in the following manner:~~
- 12 ~~a-. The the ballot must first be arranged with all the names for each office on the~~
13 ~~ballot in an order determined by lot by the county auditor or responsible~~
14 ~~election official, and prepared by the county auditor for all state, district, and~~
15 ~~county offices.~~
- 16 ~~b-. In printing each set of official ballots for the various election precincts, the~~
17 ~~position of the names must be changed in each office division as many times~~
18 ~~as there are candidates in the office division in which there are the most~~
19 ~~names. The same number of ballots must be printed after each change of~~
20 ~~position.~~
- 21 ~~c-. In making the changes of position, the printer shall take the candidate's name~~
22 ~~at the head of each office division and place it at the bottom of that division,~~
23 ~~moving the column up so the name that was second before the change is first~~
24 ~~after the change.~~

- 1 ~~3. In precincts employing voting machines, the position of names which require~~
2 ~~alternating under the provisions of this section must be alternated so the name~~
3 ~~appearing first in one precinct will be last in the next precinct, and the name that~~
4 ~~appeared second must be first in the next precinct, and so on until each name has~~
5 ~~been moved up or over one space accordingly. This process must be continued~~
6 ~~from one precinct to another and for as many names as are involved. There must~~
7 ~~be a different alternation sequence for each of the following, based on the~~
8 ~~geographical area by which the office is filled:~~
9 ~~a. Offices to be filled by the electors of the state, the entire county, or any district~~
10 ~~which includes the entire county.~~
11 ~~b. Offices to be filled by the electors of districts smaller than the county, with a~~
12 ~~different rotation for each of those districts.~~
13 ~~4. The precincts must be arranged according to the total votes cast for governor at~~
14 ~~the last general election in which the office of governor was filled, starting with the~~
15 ~~precinct having the highest total votes cast and ending with the precinct having the~~
16 ~~lowest total votes cast in that election.~~
17 ~~5. If there are more than three candidates for any office, and it is not possible to place~~
18 ~~all of the names on one line, the names must be placed in two or more lines having~~
19 ~~an equal or nearly equal number of names on each line; provided, that in no event~~
20 ~~may only one name appear on any line.~~