

Fifty-sixth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1127

Introduced by

Judiciary Committee

(At the request of the Secretary of State)

1 A BILL for an Act to amend and reenact section 16.1-07-12.1 of the North Dakota Century
2 Code, relating to absentee ballot precincts.

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

4 **SECTION 1. AMENDMENT.** Section 16.1-07-12.1 of the North Dakota Century Code
5 is amended and reenacted as follows:

6 **16.1-07-12.1. Absentee ballot precinct - Election board appointment - Ballot**
7 **counting.**

- 8 1. For any primary, general, or special statewide ~~or legislative~~, district, or county
9 election, the board of county commissioners may create a special precinct, known
10 as an absentee ballot precinct, ~~for each legislative district in the county~~ for the
11 purpose of counting all absentee ballots cast in an election in that ~~district~~ county.
12 ~~Each absentee ballot precinct is a separate precinct for the purpose of ballot~~
13 ~~arrangement rotation.~~ The election board of the absentee ballot precinct must be
14 known as the absentee ballot counting board. The county auditor shall supply the
15 board with all necessary election supplies as provided in chapter 16.1-06.
- 16 2. ~~The governing body of the city shall appoint the election inspector in a district~~
17 ~~contained entirely within an incorporated city.~~ ~~The county auditor, with the~~
18 ~~approval of the board of county commissioners, shall appoint all other inspectors.~~
19 ~~Each district party chairman of the two parties which cast the largest and the next~~
20 ~~largest number of votes at the last general election shall appoint one election judge~~
21 ~~for each district.~~ If the board of county commissioners chooses to establish an
22 absentee ballot precinct according to this section, the following provisions apply:
- 23 a. The county auditor shall appoint the absentee ballot counting board that
24 consists of one independent representative to act as the inspector and an

- 1 equal number of representatives from each political party represented on an
2 election board in the county, as set forth in section 16.1-05-01, to act as
3 judges. Each official of the board shall take the oath required by section
4 16.1-05-02 and must be compensated as provided in section 16.1-05-05.
- 5 3. b. The county auditor shall have the absentee ballots delivered to the inspector
6 of the absentee ballot counting board with the election supplies, or if received
7 later, then prior to the closing of the polls.
- 8 4. c. ~~The~~ On the day of the election, the absentee ballot counting board shall
9 occupy a ~~room~~ location designated by the county auditor which must be open
10 to any person for the purpose of observing the counting process.
- 11 5. d. The absentee ballots must be opened and handled as required in section
12 16.1-07-12. The absentee ballot counting board may commence counting the
13 absentee ballots at the same time as any precinct within the county, city, or
14 legislative district opens its polls. As soon as all the polls in the county, city,
15 or legislative district close and the count is completed, the inspector shall
16 announce publicly the results. The board shall comply with the requirements
17 of sections 16.1-15-04 through 16.1-15-12, as applicable.