

HOUSE BILL NO. 1203

Introduced by

Representatives Aarsvold, Hunskor, Maragos

Senators Christmann, Robinson, Wardner

1 A BILL for an Act to create and enact a new section to chapter 16.1-05 of the North Dakota
2 Century Code, relating to protection of election board members' employment; and to provide a
3 penalty.

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

5 **SECTION 1.** A new section to chapter 16.1-05 of the North Dakota Century Code is
6 created and enacted as follows:

7 **Protection of election board members' employment - Penalty.** An employer may
8 not deprive an employee of employment, layoff, penalize, threaten, or otherwise coerce an
9 employee with respect to the employee's employment status with the employer because the
10 employee has been selected to serve as a member of an election board at a primary, general,
11 or special election. An employer who violates this section is guilty of a class B misdemeanor. If
12 an employer discharges an employee in violation of this section, the employee within ninety
13 days may bring a civil action for recovery of lost wages as a result of the violation and for an
14 order requiring the reinstatement of the employee. Damages recoverable may not exceed lost
15 wages for six weeks. If the employee prevails, the employee must be allowed a reasonable
16 attorney's fee fixed by the court.