

SENATE BILL NO. 2138

Introduced by

Government and Veterans Affairs Committee

(At the request of the Secretary of State)

1 A BILL for an Act to amend and reenact section 54-03-03 of the North Dakota Century Code,
2 relating to filing certificates of election and appointments with the legislative assembly and
3 making the roll of members of the legislative assembly.

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

5 **SECTION 1. AMENDMENT.** Section 54-03-03 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **54-03-03. Secretary of senate and chief clerk of house to receive certifications**
8 **and to make roll of members - Certificate Certificates filed.** ~~The~~ At the opening of each
9 organizational session, reconvened session, or special session of the legislative assembly, the
10 secretary of state shall certify to the secretary of the senate and the chief clerk of the house of
11 representatives, at the opening of each organizational session, shall make a correct roll of the
12 respective members of their houses respectively to whom certificates of election have been
13 issued by the proper officers or whose appointments have been filed with the secretary of state
14 under applicable provisions of law since the preceding session of the legislative assembly. The
15 certificates must be filed by the secretary of the senate and chief clerk. ~~Each certificate is shall~~
16 file the certifications and copies of the certificates of election or appointment, and the
17 certifications and copies of the certificates of election or appointment are prima facie evidence
18 of the right to membership in the respective branch of the legislative assembly of the person
19 certified therein to be elected for all purposes of the organization of either branch of the
20 legislative assembly. The secretary of state shall also certify to the secretary of the senate and
21 the chief clerk of the house of representatives the respective members who served in the
22 preceding session of the legislative assembly and whose terms have not expired. After the
23 certifications are received, the secretary of the senate and the chief clerk of the house of
24 representatives shall call and make a correct roll of the names of those respective members

Fifty-eighth
Legislative Assembly

- 1 who have been certified by the secretary of state. The provisions of this section may not be
- 2 construed to infringe on the right of each house to be the judge of the qualifications of its
- 3 members.