

PROPOSED AMENDMENTS TO SENATE BILL NO. 2248

In lieu of the amendments to Senate Bill No. 2248 as printed on pages 478-480 of the Senate Journal, Senate Bill No. 2248 is amended as follows:

Page 1, line 1, replace "a" with "three" and replace "section" with "sections"

Page 1, line 2, after the first "to" insert "providing absentee voting information to military and overseas voters, rejecting absentee ballots cast by military and overseas voters, and creating", after the semicolon insert "and", and after "reenact" insert "subsection 2 of section 16.1-07-01 and"

Page 1, line 3, after "to" insert "absentee voting for federal offices by citizens who have never lived in the United States,"

Page 1, line 4, after "ballots" insert a comma

Page 1, after line 5, insert:

**"SECTION 1. AMENDMENT.** Subsection 2 of section 16.1-07-01 of the North Dakota Century Code is amended and reenacted as follows:

2. A qualified elector who is a citizen of the United States and lives outside the United States or a citizen of the United States who is eighteen years of age or older and has never lived in the United States and whose parent is a qualified elector of the state may vote absentee in this state pursuant to this chapter if the individual:
  - a. Does not maintain a domicile;
  - b. Is not registered to vote;
  - c. Is not voting in any other state, territory, or possession of the United States; and
  - d. Possesses a valid passport or card of identity and registration issued under the authority of the secretary of state of the United States.

Such an elector may vote only in federal elections, which means any election held solely or in part for the purpose of electing or nominating any candidate for the office of president, vice president, presidential elector, member of the United States senate, or member of the United States house of representatives."

Page 1, line 9, remove "directly"

Page 2, replace lines 4 through 9 with:

"Any individual, other than an election official identified in section 16.1-07-05, who is collecting completed absent voter's ballot applications shall submit all completed applications received from applicants to the appropriate election official in a timely

manner so as to allow each applicant to receive, complete, and mail the absent voter's ballot before the day of the election."

Page 2, line 15, overstrike "or" and insert immediately thereafter an underscored comma

Page 2, line 16, after the underscored comma insert "or any blank"

Page 2, remove lines 28 through 31

Page 4, line 2, remove "the applicant's employer, officer, or"

Page 4, line 3, remove "agent of the applicant's union, or" and remove ", or a relative of a"

Page 4, line 4, remove "candidate for any office as described in subsection 2 of section 16.1-05-02,"

Page 5, after line 19, insert:

"5. Each individual requesting an absent voter's ballot under this chapter who cannot read the English language or who because of blindness or other disability is unable to mark the voter's ballot, upon request, may receive the assistance of any person of the voter's choice, other than the voter's employer, an officer or agent of the voter's union, a candidate running in that election, or a relative of a candidate as described in subsection 2 of section 16.1-05-02, in marking the voter's ballot."

Page 5, line 26, replace "16.10-13" with "16.1-13"

Page 6, line 12, after "space" insert "in a government-controlled facility"

Page 6, line 29, after "counting" insert an underscored comma

Page 7, after line 2, insert:

**"SECTION 7.** A new section to chapter 16.1-07 of the North Dakota Century Code is created and enacted as follows:

**Secretary of state to provide information regarding absentee voting for military and overseas voters.** The secretary of state is designated as the official responsible for providing information regarding absentee voting by military and overseas citizens eligible to vote in the state according to section 702 of the Help America Vote Act of 2002 [Pub. L. 107-252; 116 Stat. 1666; 42 U.S.C. 1973ff-1]. The secretary of state shall develop and provide uniform procedures for county auditors to follow when transmitting and receiving applications for absentee ballots to and from military and overseas voters.

**SECTION 8.** A new section to chapter 16.1-07 of the North Dakota Century Code is created and enacted as follows:

**Notification of rejected absentee ballots cast by military and overseas voters.** The secretary of state shall establish a uniform procedure for county auditors to follow when notifying a military or overseas voter that the voter's absentee ballot was

rejected. The procedure must provide that the notice include the reason why the voter's absentee ballot was rejected as provided by section 707 of the Help America Vote Act of 2002 [Pub. L. 107-252; 116 Stat. 1666; 42 U.S.C. 1973ff-1]."

Renumber accordingly