

**SENATE BILL NO. 2219
with House Amendments
SENATE BILL NO. 2219**

Sixty-second
Legislative Assembly
of North Dakota

Introduced by

Senators Olafson, Andrist, Dotzenrod

Representatives Brandenburg, Monson, Mueller

1 A BILL for an Act to amend and reenact section 58-05-12 of the North Dakota Century Code,
2 relating to township officer interest in a township contract.

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

4 **SECTION 1. AMENDMENT.** Section 58-05-12 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **58-05-12. Officers interested in contracts of township.**

7 Except as otherwise provided by this section, no township officer may become a party to or
8 be interested, directly or indirectly, in any contract made by the board of which the officer is a
9 member. Every contract or payment voted for or made contrary to this section is void. Any
10 violation of this section constitutes malfeasance in office which subjects the offending officer to
11 removal from office. A township ~~supervisor~~officer may become a party to or be interested,
12 directly or indirectly, in any contract made by the board if:

- 13 1. ~~No other qualified individual is willing to undertake the contract;~~The officer is qualified
14 to undertake the contract.
- 15 2. The board, when possible, has requested bids or offers from at least two persons.
- 16 3. The board gives due consideration to all reasonable bids or offers to provide the same
17 service to the township.
- 18 4. The officer having an interest in the contract is a supervisor, that supervisor does not
19 vote on the contract; and
- 20 3. ~~The~~ the other members of the board of supervisors vote unanimously in favor of the
21 contract.
- 22 5. The officer having an interest in the contract is not a supervisor, all members of the
23 board of supervisors vote unanimously in favor of the contract.