Sixty-third Legislative Assembly of North Dakota

SENATE BILL NO. 2230

Introduced by

Senators Triplett, Wardner, Schneider

Representatives Carlson, Onstad

- 1 A BILL for an Act to create and enact a new section to chapter 54-03 of the North Dakota
- 2 Century Code, relating to a request by a legislative majority or minority leader for an opinion of
- 3 the legislative council on the constitutionality of pending legislation.

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

- 5 **SECTION 1.** A new section to chapter 54-03 of the North Dakota Century Code is created
- 6 and enacted as follows:
- 7 <u>Constitutionality opinion regarding pending legislation.</u>
- 8 The majority or minority leader of the house of representatives or the senate may file a
- 9 written request of the director of the legislative council to direct the issuance of a formal opinion
- of the legislative council on the constitutionality of pending legislation. A request for an opinion
- 11 <u>must identify the pending legislation and the aspect of that legislation on which the</u>
- 12 <u>constitutionality is questioned. The formal opinion must state the consensus of the legislative</u>
- 13 council legal staff on the constitutionality of the pending legislation and cite the authority
- 14 considered to reach that opinion.