

**SENATE BILL NO. 2213
with House Amendments
SENATE BILL NO. 2213**

Sixty-third
Legislative Assembly
of North Dakota

Introduced by

Senators Miller, Armstrong, Axness

Representatives Kasper, Thoreson, Strinden

1 A BILL for an Act to amend and reenact sections 1-08-09, 16.1-10-06, and 16.1-10-06.2 of the
2 North Dakota Century Code, relating to the restricted area around polling places for certain
3 activities.

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

5 **SECTION 1. AMENDMENT.** Section 1-08-09 of the North Dakota Century Code is amended
6 and reenacted as follows:

7 **1-08-09. Service of civil process ~~on election day~~within boundary of an open polling**
8 **location.**

9 During ~~the day on which~~ any primary, general, or special election is held in this state, or in
10 any district, county, city, or precinct, civil process may not be served on any person entitled to
11 vote at the election within one hundred feet [30.48 meters] from the outermost entrance leading
12 into the building or facility in which a polling place is located and open for voting.

13 **SECTION 2. AMENDMENT.** Section 16.1-10-06 of the North Dakota Century Code is
14 amended and reenacted as follows:

15 **16.1-10-06. Electioneering ~~on election day~~ ~~Penalty~~within boundary of an open**
16 **polling location.**

17 ~~Any person asking, soliciting~~

18 1. An individual may not ask, solicit, or in any manner ~~trying~~try to induce or persuade,
19 any voter ~~on an election day~~within a polling place or within one hundred feet [30.48
20 meters] from the entrance to the room containing a polling place while it is open for
21 voting to vote or refrain from voting for any candidate or the candidates or ticket of any
22 political party or organization, or any measure submitted to the people, ~~is guilty of an~~
23 infraction. The display upon motor vehicles of adhesive signs which are not readily
24 removable and which promote the candidacy of any individual, any political party, or a

1 vote upon any measure, and political advertisements promoting the candidacy of any
2 individual, political party, or a vote upon any measure which are displayed on fixed
3 permanent billboards, may not, however, be deemed a violation of this section.

4 2. A vehicle or movable sign of any type containing a political message as described in
5 subsection 1 may be allowed to remain within the restricted area only for the period of
6 time necessary for the owner or operator of the vehicle or sign to complete the act of
7 voting.

8 3. Except as provided in subsection 1, a sign placed on private property which displays a
9 political message may not be restricted by a political subdivision, including a home
10 rule city or county, unless the political subdivision demonstrates a burden to the public
11 safety.

12 **SECTION 3. AMENDMENT.** Section 16.1-10-06.2 of the North Dakota Century Code is
13 amended and reenacted as follows:

14 **16.1-10-06.2. Sale or distribution at polling place.**

15 A person may not approach a person attempting to enter a polling place, or who is in a
16 polling place, for the purpose of selling, soliciting for sale, advertising for sale, or distributing any
17 merchandise, product, literature, or service. A person may not approach a person attempting to
18 enter a polling place, who is in a polling place, or who is leaving a polling place for the purpose
19 of gathering signatures for any reason. These prohibitions apply in any polling place or within
20 one hundred feet [30.48 meters] from any entrance leading into a polling place ~~on election~~
21 ~~day~~ while it is open for voting.