

HOUSE BILL NO. 1181

Introduced by

Representatives Streyle, Brabandt, Dockter, Louser, Owens, Rohr, Schmidt

Senators Casper, Holmberg, Laffen, Unruh

1 A BILL for an Act to amend and reenact section 16.1-13-08.1 of the North Dakota Century
2 Code, relating to filling vacancies in the office of United States senator and the office of
3 representative in Congress; and to repeal section 16.1-13-08 of the North Dakota Century
4 Code, relating to filling vacancies in the office of United States senator.

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

6 **SECTION 1. AMENDMENT.** Section 16.1-13-08.1 of the North Dakota Century Code is
7 amended and reenacted as follows:

8 **16.1-13-08.1. Special election to fill a vacancy in the United States Senate and House**
9 **of Representatives ~~due to a catastrophic circumstance.~~**

10 1. If a vacancy occurs in the office of United States senator or the office of representative
11 in Congress ~~due to a catastrophic circumstance in which one hundred or more~~
12 ~~representatives across the United States are no longer able to serve~~ from this state
13 and the next regular or special election is more than seventy-five days in the future,
14 the governor ~~shall~~ immediately shall issue a writ of election calling a special election to
15 fill the vacancy. The date of the election ~~shall~~ must be ~~forty-nine~~ sixty days from the
16 date of the proclamation ~~and the following deadlines shall apply:~~

17 ~~1. Certificate.~~
18 2. A certificate of endorsement as described in section 16.1-11-09, ~~affidavits~~ an affidavit of
19 candidacy described in section 16.1-11-10, and ~~statements~~ a statement of
20 ~~interest~~ interests described in section 16.1-09-03 for ~~those candidates~~ any candidate
21 nominated by a ~~political parties~~ party currently established in the state ~~shall~~ must be
22 filed with the secretary of state by four p.m. on the ~~fortieth~~ fiftieth day before the
23 election.

1 ~~2-3.~~ If the election occurs in an election year, the precincts previously established by the
2 county ~~shall~~must be utilized.

3 ~~3-4.~~ If the election occurs in a year without a scheduled election, the board of county
4 commissioners ~~must~~shall establish the precinct boundaries by the ~~fortieth~~fiftieth day
5 before the election.

6 ~~4-5.~~ The secretary of state shall certify to the county auditors the names of the candidates
7 for the election on the ~~thirty-ninth~~forty-ninth day before the election.

8 ~~5-6.~~ Absentee ballots ~~shall~~must be made available to qualified electors by the
9 ~~thirtieth~~forty-fifth day before the election.

10 **SECTION 2. REPEAL.** Section 16.1-13-08 of the North Dakota Century Code is repealed.