Sixty-fifth
Legislative Assembly
of North Dakota

# SENATE BILL NO. 2165

Introduced by

Senators Kannianen, Clemens, Vedaa

Representatives Damschen, Longmuir

A BILL for an Act to amend and reenact section 44-02-02 of the North Dakota Century Code, relating to resignations from elected positions.

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

**SECTION 1. AMENDMENT.** Section 44-02-02 of the North Dakota Century Code is amended and reenacted as follows:

**44-02-02. Resignations of officers - To whom made.**

The resignation of an officer must be in writing and must be made as follows:

1. The governor and lieutenant governor, to the legislative assembly, if it is in session, and if not, to the secretary of state.
2. Any other state or district officer, to the governor.
3. A member of the legislative assembly, to the presiding officer of the branch of which the individual is a member, when in session, and when not in session, to the chairman of the legislative management. When made to the presiding officer, the presiding officer at once shall notify the chairman of the legislative management of the resignation.
4. An officer of the legislative assembly, to the branch of which the individual is an officer.
5. An elective county officer, by filing or depositing the resignation in the office of the county auditor, except that the resignation of the county auditor must be filed or deposited with the board of county commissioners. Any resignation under this subsection, unless a different time is fixed therein, takes effect upon the filing or deposit.
6. An officer of a civil township, to the board of supervisors of the township, except that a member of the board shall submit the member's resignation to the township clerk, and

the township clerk forthwith shall give to the county auditor notice of the resignation of all officers whose bonds are filed with that officer.

7. A member of a school board, to the business manager of the district.

8. Any officer holding office by appointment, to the body, board, court, or officer which appointed the officer.