

Sixty-eighth
Legislative Assembly
of North Dakota

**REENGROSSED SENATE CONCURRENT
RESOLUTION NO. 4013**

Introduced by

Senators Myrdal, Hogue

Representatives Cory, Lefor

1 A concurrent resolution to amend and reenact sections 2, 3, 4, and 9 of article III of the
2 Constitution of North Dakota, relating to the process for approving initiated constitutional
3 amendments, the requirement of a single subject for each petition and measure, the individuals
4 able to circulate a petition, and the requirement that all ballot measures must be voted on at the
5 primary and general election.

STATEMENT OF INTENT

6
7 This measure would restrict circulation of petitions for an initiated constitutional amendment to
8 qualified electors ~~who have resided in the state for at least one hundred twenty days, prohibit~~
9 ~~petition circulators from receiving money or items of value for circulating a petition~~, require all
10 petitions and measures to be limited to a single subject, and require all constitutional initiated
11 measures under article III be voted on at the primary and general election.

12 **BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF**
13 **REPRESENTATIVES CONCURRING THEREIN:**

14 That the following proposed amendments to sections 2, 3, 4, and 9 of article III of the
15 Constitution of North Dakota are agreed to and must be submitted to the qualified electors of
16 North Dakota at the general election to be held in November of 2024, in accordance with
17 section 16 of article IV of the Constitution of North Dakota.

18 **SECTION 1. AMENDMENT.** Section 2 of article III of the Constitution of North Dakota is
19 amended and reenacted as follows:

20 **Section 2.** An initiated measure may not embrace or be comprised of more than one
21 subject, as determined by the secretary of state. A petition to initiate or to refer a measure must
22 be presented to the secretary of state for approval as to form and compliance with the single
23 subject requirement. A request for approval must be presented over the names and signatures
24 of twenty-five or more qualified electors as sponsors, one of whom must be designated as
25 chairman of the sponsoring committee. The secretary of state shall approve the petition for

1 circulation if it is in proper form and contains the names and addresses of the sponsors and the
2 full text of the measure.

3 The legislative assembly may provide by law for a procedure through which the legislative
4 council may establish an appropriate method for determining the fiscal impact of an initiative
5 measure and for making the information regarding the fiscal impact of the measure available to
6 the public.

7 **SECTION 2. AMENDMENT.** Section 3 of article III of the Constitution of North Dakota is
8 amended and reenacted as follows:

9 **Section 3.** The petition ~~shall~~may be circulated only by qualified electors. ~~They~~An individual
10 circulating a petition shall swear thereon that the qualified electors who have signed the petition
11 did so in their presence. Each qualified elector signing a petition also shall ~~also~~ write in the date
12 of signing and ~~his post-office~~the qualified elector's complete residential address. ~~No~~A law
13 ~~shall~~may not be enacted limiting the number of copies of a petition. The copies ~~shall~~must
14 become part of the original petition when filed.

15 **SECTION 3. AMENDMENT.** Section 4 of article III of the Constitution of North Dakota is
16 amended and reenacted as follows:

17 **Section 4.** The petition may be submitted to the secretary of state if signed by qualified
18 electors equal in number to two percent of the resident population of the state at the last federal
19 decennial census.

20 **SECTION 4. AMENDMENT.** Section 9 of article III of the Constitution of North Dakota is
21 amended and reenacted as follows:

22 **Section 9.** A constitutional amendment may be proposed by initiative petition. The petition
23 may be circulated only by qualified electors who have resided in the state for at least one
24 hundred twenty days before the first signature is collected. An individual circulating a petition
25 may not accept any money or an in-kind item of value for circulating a petition. The proposed
26 amendment may not embrace or be comprised of more than one subject, as determined by the
27 secretary of state, and the secretary of state may not approve the initiative petition for
28 circulation if the proposed amendment comprises more than one subject. If signed by qualified
29 electors equal in number to ~~four~~five percent of the resident population of the state at the last
30 federal decennial census, the petition may be submitted to the secretary of state. If the
31 secretary of state finds the petition is valid, the secretary of state shall place the measure on the

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1 ballot at the next primary election. If the majority of the votes cast on the measure are
2 affirmative in the primary election, the measure must be placed on the ballot at the ~~next~~-general
3 election ~~immediately following the primary election~~ for final consideration. If a majority of votes
4 cast for a proposed constitutional amendment are affirmative in the general election, the
5 measure is deemed enacted. ~~If the measure fails to receive the required number of votes to~~
6 enact the measure at either the primary election or the general election, the measure is deemed
7 failed. All other provisions relating to initiative measures apply hereto initiative measures for
8 constitutional amendments.