

**SENATE BILL NO. 2339**

Introduced by

Senators Boehm, Hogue, Kessel, Kreun, Magrum

Representative Henderson

1 A BILL for an Act to create and enact a new section to chapter 16.1-01 of the North Dakota  
2 Century Code, relating to ~~a random audits~~ special analysis after the certification of an election.

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

4 **SECTION 1.** A new section to chapter 16.1-01 of the North Dakota Century Code is created  
5 and enacted as follows:

6 ~~Audit~~ **Special analysis conducted by state auditor** ~~third party selected by the secretary~~  
7 ~~of state after each primary and general election.~~

8 1. Following the certification of the results of each primary and general election, the ~~office-~~  
9 ~~of the state auditor~~ **secretary of state shall appoint a third party to conduct an audit** ~~a~~  
10 ~~special analysis to review the accuracy of an election. The state auditor~~ **secretary of**  
11 ~~state shall randomly select one county from:~~

- 12 a. Burleigh, Cass, Grand Forks, Morton, Stark, Ward, and Williams Counties; and  
13 b. The remaining counties within this state.

14 2. For the two selected counties in subsection 1, the ~~office of the state auditor~~ **third party**  
15 ~~selected by the secretary of state shall conduct a full, manual recount for all~~ **one**  
16 ~~thousand randomly selected ballots cast within the county. The audit shall~~ **special**  
17 ~~analysis must review all municipal, county, statewide, and national races listed on a~~  
18 ~~ballot. The audit shall~~ **special analysis must commence immediately after the state**  
19 ~~canvassing board issues the statement under section 16.1-15-42. The results of the~~  
20 ~~audit shall~~ **special analysis must be made public within ninety days of the**  
21 ~~commencement of the audit~~ **special analysis.**

22 3. The ~~officers and employees of all departments, institutions, boards, commissions, and~~  
23 ~~political subdivisions, subject to examination by the third party selected by the~~  
24 ~~secretary of state under this section, shall afford all reasonable facilities for the~~

1           analysis and shall make returns and exhibits to the third party selected by the  
2           secretary of state under oath in the form and manner prescribed by the secretary of  
3           state. The third party selected by the secretary of state may analyze any books,  
4           papers, accounts, bills, vouchers, and other documents or property of any  
5           departments, boards, commissions, political subdivisions, and financial institutions  
6           subject to the third party's special analysis. The third party selected by the secretary of  
7           state may analyze under oath any trustees, managers, officers, employees, or agents  
8           of the departments, boards, commissions, or political subdivisions.  
9           4. The ~~state auditor~~secretary of state shall adopt rules necessary to administer the duties  
10           provided in this section.