

Introduced by

Senators Bekkedahl, Davison, Lee, Patten

Representatives Bosch, Grindberg

1 A BILL for an Act to create and enact a new section to chapter 11-09.1 of the North Dakota
2 Century Code, relating to a county home rule charter conforming with statute; and to amend
3 and reenact section 11-09.1-06 of the North Dakota Century Code, relating to the amendment
4 or repeal of a county home rule charter.

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

6 **SECTION 1. AMENDMENT.** Section 11-09.1-06 of the North Dakota Century Code is
7 amended and reenacted as follows:

8 **11-09.1-06. Amendment or repeal.**

9 TheExcept as provided in section 2 of this Act, the home rule charter adopted by anya
10 county may be amended or repealed by a proposal by the governing body of the county or by
11 petition of the number of electors provided in section 11-09.1-01, submitted to and ratified by the
12 qualified electors of the county. A petition to amend or repeal a home rule charter must be
13 submitted to the governing body of the county. Within thirty days of receipt of a valid petition or
14 approval of a proposal to amend or repeal a home rule charter, the governing body of the
15 county shall publish any proposed amendment or repeal of a home rule charter once in the
16 official newspaper of the county. At least sixty days after publication, the proposed amendment
17 or repeal must be submitted to a vote of the qualified electors of the county at the next primary
18 or general election. The electors may accept or reject any amendment or a repeal by a majority
19 vote of qualified electors voting on the question at the election.

20 **SECTION 2.** A new section to chapter 11-09.1 of the North Dakota Century Code is created
21 and enacted as follows:

22 **Conformance with statute - Amendment.**

23 1. When a portion of a home rule charter, or an ordinance or act of a governing body of a
24 home rule county passed under a home rule charter, does not conform to the

- 1 requirements of section 11-09.1-05, the county may amend those non-conforming
2 portions by a resolution adopted by the governing body of the county.
- 3 2. A resolution passed under subsection 1 is effective after adoption by the governing
4 body of the county. A petition, approval, or vote by the electors of the county is not
5 required to amend a county's home rule charter under this section. Within thirty days
6 after adoption of the resolution, the county shall publish the resolution once in the
7 official newspaper of the county.
- 8 3. An amendment to a charter of a home rule county intended to add any power
9 enumerated in section 11-09.1-05, which was not included in the county's original
10 home rule charter, may not be amended under this section and may be amended only
11 under the provisions of section 11-09.1-06.