

February 24, 2025

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO

SENATE BILL NO. 2054

Introduced by

Judiciary Committee

(At the request of the Supreme Court)

1 A BILL for an Act to amend and reenact section 27-09.1-05 of the North Dakota Century Code,
2 relating to the master jury list; and to provide a contingent effective date.

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

4 **SECTION 1. AMENDMENT.** Section 27-09.1-05 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **27-09.1-05. Master list.**

- 7 1. The clerk for each county shall compile and maintain a master list ~~consisting~~which
8 may consist of all lists of actual:
9 a. Actual voters for the county ~~supplemented with names from other lists of persons~~
10 ~~resident therein, such as lists of utility customers, property taxpayers, motor~~
11 ~~vehicle registrations, tribal registries if made available by a federally recognized~~
12 ~~Indian tribe in this state, and driver's licenses, which the supreme court of this~~
13 ~~state from time to time designates. In compiling the master list, the clerk shall~~
14 ~~avoid duplication of names.;~~
15 b. Those receiving unemployment compensation under chapter 52-06;
16 c. Registered owners of motor vehicles under chapter 39-04;
17 d. Drivers licensed by the department of transportation under chapter 39-06;
18 e. Public utility customers;
19 f. Property taxpayers; and

- 1 g. Tribal registries if made available by a federally recognized Indian tribe in this
2 state.
- 3 2. Whoever has custody, possession, or control of any of the lists making up or used in
4 compiling the master list, ~~including those designated under subsection 1 by the~~
5 ~~supreme court as supplementary sources of names,~~ shall make the list available to the
6 clerk for inspection, reproduction, and copying at all reasonable times to the court in
7 electronic form.
- 8 3. Names on tribal registries must be included in the master list if made available by a
9 federally recognized Indian tribe in this state.
- 10 4. The master list shall be open to the public for examination ~~and all lists used to compile~~
11 ~~the master list are confidential and are to be used only by the court for the purpose of~~
12 ~~jury selection.~~

13 ~~— SECTION 2. AMENDMENT. Section 27-09.1-05 of the North Dakota Century Code is~~
14 ~~amended and reenacted as follows:~~

15 ~~— 27-09.1-05. Master list.~~

- 16 ~~— 1. The clerk for each county shall compile and maintain a master list consisting of:~~
- 17 ~~— a. Actual voters for the county;~~
- 18 ~~— b. Those receiving public assistance under North Dakota Administrative Code~~
19 ~~chapter 75-02-01.2;~~
- 20 ~~— c. Those receiving child care assistance under North Dakota Administrative Code~~
21 ~~chapter 75-02-01.3;~~
- 22 ~~— d. Those receiving unemployment compensation under chapter 52-06;~~
- 23 ~~— c.e. Registered owners of motor vehicles under chapter 39-04;~~
- 24 ~~— d.f. Drivers licensed by the department of transportation under chapter 39-06;~~
- 25 ~~— e.g. Public utility customers;~~
- 26 ~~— f.h. Property taxpayers; and~~
- 27 ~~— g.i. Tribal registries if made available by a federally recognized Indian tribe in this~~
28 ~~state.~~
- 29 ~~— 2. Whoever has custody, possession, or control of any of the lists making up or used in~~
30 ~~compiling the master list shall make the list available to the court in electronic form.~~

~~3. Names on tribal registries must be included in the master list if made available by a
federally recognized Indian tribe in this state.~~

~~4. The master list and all lists used to compile the master list are confidential and are
to be used only by the court for the purpose of jury selection.~~

SECTION 2. AMENDMENT. Section 27-09.1-05 of the North Dakota Century Code is amended and reenacted as follows:

27-09.1-05. Master list.

1. The clerk for each county shall compile and maintain a master list which may consist of:

a. Actual voters for the county;

b. Those receiving public assistance under North Dakota Administrative Code chapter 75-02-01.2;

c. Those receiving child care assistance under North Dakota Administrative Code chapter 75-02-01.3;

d. Those receiving unemployment compensation under chapter 52-06;

~~e.e.~~ Registered owners of motor vehicles under chapter 39-04;

~~d.f.~~ Drivers licensed by the department of transportation under chapter 39-06;

~~e.g.~~ Public utility customers;

~~f.h.~~ Property taxpayers; and

~~g.i.~~ Tribal registries if made available by a federally recognized Indian tribe in this state.

2. Whoever has custody, possession, or control of any of the lists making up or used in compiling the master list shall make the list available to the court in electronic form.

3. Names on tribal registries must be included in the master list if made available by a federally recognized Indian tribe in this state.

4. The master list shall be open to the public for examination. Information used to compile the master list in subdivisions b and c of subsection 1 is confidential and may be used by the court for the purpose of creating the master list.

SECTION 3. DEPARTMENT OF HEALTH AND HUMAN SERVICES - STATE PLAN

AMENDMENT. During the 2025-2027 biennium the department of health and human services shall seek a state plan amendment to authorize the disclosure of lists of those individuals

1 receiving public assistance under North Dakota Administrative Code chapter 75-02-01.2 and
2 child care assistance under North Dakota Administrative Code chapter 75-02-01.3. Upon
3 amendment of the state plan, the executive director of the department of health and human
4 services shall certify this fact to the legislative council.

5 **SECTION 4. CONTINGENT EFFECTIVE DATE.** Section 2 of this Act becomes effective
6 ninety days after the date the executive director of the department of health and human
7 services certifies to the legislative council the state has been granted a state plan amendment
8 that authorizes the disclosure of lists of those individuals receiving public assistance under
9 North Dakota Administrative Code chapter 75-02-01.2 and child care assistance under North
10 Dakota Administrative Code chapter 75-02-01.3.