CHAPTER 16.1-03
PARTY COMMITTEE ORGANIZATION

16.1-03-01. Party caucus - Time and manner of holding - Caucus call - Notice.

1. Each legislative district party shall organize in conformance with the state legislative district boundaries as established by the legislative assembly and as set forth under chapter 54-03.
2. On or before May fifteenth following the last preceding general election, a party caucus must be held by every legislative district party. The legislative district party may organize the caucus by precinct or on an at-large basis for the entire district.
3. The legislative district chairman of each party shall set the date and time for the party caucus. If there is not a duly elected district chairman in a legislative district, the state party executive committee may issue the call for the caucus. The call must contain the following:
   a. Name of party.
   b. Legislative district number.
   c. Date of caucus.
   d. Place of caucus.
   e. Hours of caucus.
   f. A statement of the business to be conducted.
   g. The name of the district chairman or, if there is not a duly elected district chairman, the member of the state party executive committee issuing the call.
4. The district chairman or, if there is not a duly elected district chairman, the state party executive committee shall provide ten days' published notice in the official newspaper in circulation in the district. The notices must contain that information set forth in subsection 3.

16.1-03-02. Who may participate in and vote at caucus.

1. Only those individuals who are qualified electors under section 16.1-01-04 may vote or be elected as officers at the party caucus.
2. In case the right of an individual to participate at the caucus is challenged, the question of the individual's right to participate must be decided by a vote of the whole caucus. An individual so challenged may not vote on the question of the individual's right to participate in the caucus, and a two-thirds vote of the whole caucus is required to exclude an individual from participation.
3. An individual may not vote or participate at more than one caucus in any one year.

16.1-03-03. Political parties may elect committeemen.

If a political party chooses to organize by precinct, the party in each voting precinct of this state is entitled to elect one precinct committeeman for each two hundred fifty votes, or majority of a fraction thereof, cast for the party's presidential electors, governor, attorney general, or secretary of state in the precinct in the last general election. Each precinct committeeman must be an elector of the precinct in which the committeeman resides and must be elected for a two-year term.

16.1-03-04. Candidates elected at caucus - Tie vote - Canvassing vote.

Repealed by S.L. 1997, ch. 189, § 12.

16.1-03-05. Vacancies in office of precinct committeeman - Filling.

A vacancy in the office of precinct committeeman, which occurs after the organization of the district committee, may be filled by appointment, as authorized by the district party bylaws.

16.1-03-06. District committee of political party - How constituted.

Repealed by S.L. 1997, ch. 189, § 12.

16.1-03-07. Meeting of district committee - Organization.

1. If a legislative district chooses to organize by precinct in every odd-numbered year, the district committee of each party shall meet within fifteen days after the caucus provided for in section 16.1-03-01. The day, hour, and site must be set by the existing district committee chairman. Any incumbent members of the legislative assembly from the party and any other individual provided for by the district committee's bylaws constitute the district committee of the party. The district committee of a party must be organized to coincide with the geographical boundary lines of state legislative districts. Each member of any committee provided for in this chapter must be a qualified elector.
2. The district committee shall select the officers of the district committee and forward to the state committee the name and contact information of the district committee chairman. The district committee may appoint an executive committee consistent with the bylaws of the district committee. That party's nominees for and members of the legislative assembly shall serve as members of the executive committee.
3. If the office of chairman becomes vacant, the vacancy may be filled as provided by the district party bylaws.
4. The bylaws of the state committee or state party may not include any requirement providing directives or procedures for the method of the organization of district committees nor may the state committee or state party take any action or impose any requirement regarding district party organization unless a district lacks a district committee that is able to carry out the responsibilities under this chapter. A state party may not take any action that is inconsistent with this chapter.
5. After redistricting of the legislative assembly becomes effective, the state party chair may appoint a temporary district party organization chair in any newly established district or a district that lacks a district committee able to carry out the responsibilities of this chapter. The temporary district party organization chair shall organize the district political party as closely as possible in conformance with this chapter to assure compliance with primary election filing deadlines.

16.1-03-08. State committee - Membership.

The state committee of each party consists of the chairman of each of the district committees of the party and any individual provided for in the bylaws of the state committee.

16.1-03-09. Proxies permissible - Exception.

Repealed by S.L. 1997, ch. 189, § 12.

16.1-03-10. Member of committee to be qualified elector - Term of member.

Repealed by S.L. 1997, ch. 189, § 12.

16.1-03-11. State committee - Meetings - Organization.

The state committee shall meet on or before July first of each odd-numbered year. The committee shall organize by selecting officers as provided for by the state committee bylaws and by adopting rules and modes of procedure, including rules and procedures regarding the selection of state convention delegates. Within thirty days following the state committee's organization, the newly elected chairman shall notify the secretary of state of the names of the party officers selected.

16.1-03-12. Meeting of district committee to elect delegates to state party convention - Optional precinct caucus - Proxies.

Repealed by S.L. 2013, ch. 168, § 16.

16.1-03-13. When state party convention held.

Repealed by S.L. 1997, ch. 189, § 12.

16.1-03-14. State party convention.

1. The party state committee shall set the place and time of the state party convention to be held in each general election year. Subject to party rules and bylaws, the state party convention may:
   a. Nominate the legal number of elector nominees and alternate elector nominees for its party for the offices of presidential electors. The nominees must be qualified electors of this state.
   b. Elect the required number of delegates and alternates to the national party convention.
   c. Endorse candidates as provided under subsection 2.
2. The candidate or candidates for endorsement or election must be declared endorsed or elected under the rules of the party, and the chairman and secretary of the convention shall issue certificates of endorsement as provided in section 16.1-11-06 or certificates of election. The names of the qualified electors nominated for presidential electors the party wishes to place on the general election ballot must be certified by the chairman and secretary of the convention to the secretary of state by four p.m. on the sixty-fourth day before the general election to be placed upon the general election ballot as provided in section 16.1-06-07.1.

16.1-03-15. Expenses of delegates to national conventions.

Repealed by S.L. 1987, ch. 247, § 1.

16.1-03-16. Filling vacancy occurring in office of national committeeman or committeewoman.

Repealed by S.L. 1997, ch. 189, § 12.

16.1-03-17. Political party reorganization after redistricting.

If redistricting of the legislative assembly becomes effective after the organization of political parties as provided in this chapter and before the primary or the general election, the political parties in each of the following districts shall organize or reorganize as closely as possible in conformance with this chapter to assure compliance with primary election filing deadlines:

1. A district that does not share any geographical area with the pre-redistricting district having the same number.
2. A district with new geographic area that was not in that district for the 2020 election and which new geographic area has a 2020 population that is more than twenty-five percent of the district's population as determined in the 2020 federal decennial census.

16.1-03-18. Unfair and corrupt election practices applicable to chapter.

Repealed by S.L. 1997, ch. 189, § 12.

16.1-03-19. Organizations allowed to nominate statewide and legislative candidates.

Repealed by S.L. 2013, ch. 168, § 16.

16.1-03-20. Political parties may conduct presidential preference caucuses.

Repealed by S.L. 2009, ch. 181, § 1.

16.1-03-21. Organizations allowed to nominate statewide and legislative candidates.

A political organization may not endorse candidates or have candidates petition for president, vice president, Congress, statewide office, or legislative office as set forth in chapter 16.1-11, unless the organization:

1. Organized according to all requirements of this chapter;
2. Had printed on the ballot at the last preceding general election the names of a set of presidential electors pledged to the election of the party's candidate for president and vice president, a candidate for governor, a candidate for attorney general, or a candidate for secretary of state and those candidates for presidential electors,

governor, attorney general, or secretary of state received at least five percent of the total vote cast for presidential electors, the office of governor, attorney general, or secretary of state within this state at that election and organized according to all requirements of this chapter; or

3. Filed a petition with the secretary of state signed by the number of electors required under section 16.1-11-30 to qualify to endorse candidates or to have candidates petition to be included on the primary election ballot in a consolidated column or on a special election ballot.

16.1-03-22. Liability of officers and members.

1. Officers and executive committee members are immune from civil liability for any act or omission relating to their service or function as an officer or executive committee member, unless the act or omission constitutes gross or willful negligence or gross or willful misconduct.
2. Members of a political organization are neither obligated to pay, nor liable upon, any political organization obligation.