

Introduced by

1 A BILL for an Act to create and enact a new section to chapter 54-03 of the North Dakota
2 Century Code, relating to staggering terms of members of the legislative assembly; to repeal
3 section 54-03-01.13 of the North Dakota Century Code, relating to staggering terms of
4 members of the legislative assembly; to provide an authorization to the secretary of state; to
5 provide a statement of legislative intent; to provide an effective date; and to declare an
6 emergency.

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

8 **SECTION 1.** A new section to chapter 54-03 of the North Dakota Century Code is created
9 and enacted as follows:

10 **Staggering of terms of members of the legislative assembly.**

- 11 1. a. A senator must be elected from each odd-numbered district in 2022 for a term of
12 four years.
- 13 b. Two representatives must be elected from each odd-numbered district not
14 comprised of subdistricts in 2022 for a term of four years.
- 15 c. A representative must be elected from each odd-numbered subdistrict in 2022 for
16 a term of four years.
- 17 2. A senator and two representatives from districts ten and twenty-six must be elected in
18 2022 for a term of two years.
- 19 3. a. A senator must be elected from each even-numbered district in 2024 for a term of
20 four years.
- 21 b. Two representatives must be elected from each even-numbered district not
22 comprised of subdistricts in 2024 for a term of four years.
- 23 c. A representative must be elected from each even-numbered subdistrict in 2022
24 for a term of two years and in 2024 for a term of four years.

- 1 d. The term of office of a representative elected in 2020 from an even-numbered
2 district who as a result of redistricting is placed in an even-numbered district with
3 more than one other representative elected in 2020 from an even-numbered
4 district terminates December 1, 2022, and two representatives must be elected
5 from that district in 2022 for a term of two years.
- 6 e. The term of office of a senator elected in 2020 from an even-numbered district
7 who as a result of redistricting is placed in an even-numbered district with one or
8 more other senators elected in 2020 from an even-numbered district terminates
9 December 1, 2022, and one senator must be elected from that district in 2022 for
10 a term of two years.
- 11 4. The term of office of a member of the legislative assembly elected in an
12 even-numbered district in 2020 for a term of four years and who as a result of
13 legislative redistricting is placed in an odd-numbered district terminates December 1,
14 2022.
- 15 5. The term of office of a member of the legislative assembly elected in a district
16 comprised of subdistricts as a result of legislative redistricting terminates on
17 December 1, 2022.
- 18 6. Except as provided in subsection 7, a member of the legislative assembly elected from
19 an even-numbered district in 2020 for a term of four years and who as a result of
20 legislative redistricting is placed in an odd-numbered district may continue to serve the
21 remainder of the term for which the member was elected beyond December 1, 2022, if
22 the member changes the member's place of residence by February 1, 2022, to a
23 location within the even-numbered district from which the member was elected and
24 certifies in writing to the secretary of state and the chairman of the legislative
25 management the member has established a new residence in that district as
26 determined by section 54-01-26. If the member does not establish residency within the
27 district from which the member was elected by February 1, 2022, the term of office of
28 the member terminates on December 1, 2022.
- 29 7. The term of office of a member of the legislative assembly in an even-numbered
30 district with new geographic area which area was not in that member's district for the

1 2020 election and which new geographic area has a 2020 population more than four
2 thousand one hundred forty-four terminates on December 1, 2022.

3 8. For purposes of section 5 of article IV of the Constitution of North Dakota, a member
4 of the legislative assembly elected from a district with boundaries that changed as a
5 result of legislative redistricting is deemed to live in the district from which the member
6 was elected until December 1, 2022.

7 **SECTION 2. REPEAL.** Section 54-03-01.13 of the North Dakota Century Code is repealed.

8 **SECTION 3. SECRETARY OF STATE TO MODIFY ELECTION DEADLINES AND**
9 **PROCEDURES.** If, as a result of a delay in implementation of this Act, it becomes necessary to
10 modify election deadlines and procedures for the conduct of the 2022 primary election, the
11 secretary of state, in consultation with city and county election officials, shall adopt modified
12 election deadlines and procedures to allow the conduct of the the 2022 primary election as
13 scheduled. The modified deadlines and procedures may address filing and publishing deadlines
14 and any other matters necessary to accommodate the conduct of the primary election.

15 **SECTION 4. LEGISLATIVE INTENT - BOUNDARIES.** It is the intent of the legislative
16 assembly that although this Act is effective upon its filing with the secretary of state, the
17 members of the legislative assembly serving under the redistricting plan effective on the day
18 before the effective date of this Act, shall continue to serve until implementation of this Act. Any
19 reference in the legislative district descriptions to a city limit or reservation boundary as a
20 boundary line refers to the limit or boundary as it existed on January 1, 2020, as shown on the
21 2020 census maps. A legislative district boundary using the reservation or city limit lines does
22 not migrate as the reservation or city limits migrate. For purposes of legislative district
23 descriptions, unless cities are otherwise named specifically, townships encompass all the
24 territory within their outer boundaries.

25 **SECTION 5. EFFECTIVE DATE.** This Act is effective upon its filing with the secretary of
26 state.

27 **SECTION 6. EMERGENCY.** This Act is declared to be an emergency measure.