

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1048

Page 1, line 13, overstrike "The members" and insert immediately thereafter "Any member" and overstrike "and poll challengers"

Page 1, line 14, overstrike "anyone" and insert immediately thereafter "an individual"

Page 1, line 15, after "elector" insert "of the precinct", overstrike "Members" and insert immediately thereafter "A poll challenger may request members", overstrike "or poll challengers may" and insert immediately thereafter "to", and overstrike "a voter if" and insert immediately thereafter "the right of an individual to vote whom"

Page 1, line 16, after "believe" insert "is not a qualified elector of the precinct. A challenge may be based upon" and after "any" insert "one"

Page 1, line 17, overstrike "person" and insert immediately thereafter "individual"

Page 1, line 19, overstrike "person" and insert immediately thereafter "name of the individual", overstrike "has never voted in the precinct before" and insert immediately thereafter "does not appear in the pollbook", and after "and" insert "the individual"

Page 1, line 21, overstrike "person" and insert immediately thereafter "individual"

Page 1, line 23, overstrike "person" and insert immediately thereafter "individual"

Page 2, line 1, overstrike "person" and insert immediately thereafter "individual" and overstrike "poll challenger or by a"

Page 2, line 2, overstrike "person" and insert immediately thereafter "individual"

Page 2, line 3, overstrike "person" and insert immediately thereafter "individual"

Page 2, line 4, overstrike "person" and insert immediately thereafter "individual"

Page 2, after line 16, insert:

"f. A space to insert the page number of the pollbook on which the challenged voter's name appears along with the statement of the reason for the challenge."

Page 2, line 18, replace "person" with "individual" and remove "poll challenger or"

Page 2, line 19, replace "shall write on" with "mark" and after the third "envelope" insert "with"

Page 2, line 20, remove "and a statement of the reason for the challenge" and remove "poll challenger"

Page 2, line 21, remove "or"

Page 2, line 22, replace "envelope" with "affidavit" and after "the" insert "page"

Page 2, replace lines 23 through 31 with "on which the voter's name appears in the pollbook and must also include a statement of the reason for the challenge. The provisional"

voter's name must also be marked in the pollbook as a provisional voter. A challenged individual who has completed an affidavit and whose ballot has been designated as provisional according to this subsection has until the closing of the polls in the precinct to offer any additional information or proof to the election inspector supporting the challenged individual's qualifications to vote in the precinct. At any time before the closing of the polls in a precinct, if presented with sufficient information or proof to confirm a challenged individual's qualifications to vote in the precinct, an election inspector may withdraw the challenge and order the election board to open the provisional envelope containing the challenged individual's ballot and deposit the challenged individual's ballot into the ballot box. Before the meeting of the county canvassing board, the county auditor, with the assistance and advice of the state's attorney, shall review each completed affidavit along with the corresponding statement of the reason for the challenge and shall make a recommendation based upon the qualifications of electors in section 16.1-01-04 and the rules for determining residence in section 54-01-26 to the county canvassing board as to whether the challenged voter is qualified to vote in the precinct and whether the challenged voter's provisional ballot should be accepted and counted and canvassed by the county canvassing board or rejected. The county canvassing board shall review each recommendation made by the county auditor, and may consider each completed affidavit including the statement of the reason for the challenge, and accept or reject each provisional ballot based upon the qualifications of electors in section 16.1-01-04 and the rules for determining residence in section 54-01-26. The county canvassing board shall count those provisional ballots deemed acceptable by the board. Provisional ballots rejected by the county canvassing board must be preserved and retained with all corresponding materials for further review and consideration in case of a recount or an election contest. The decision of the county canvassing board, as it pertains to the counting of provisional ballots, is final, subject only to the recount and contesting provisions of chapter 16.1-16. An election board or county canvassing board shall take precautions to ensure that secrecy is maintained when opening and counting provisional ballots and shall proceed in the same manner as prescribed for opening and counting absent voter's ballots in section 16.1-07-12. An otherwise properly completed provisional ballot may not be rejected because an election official failed to comply with any of the procedures required by this section. The county auditor shall report all known or suspected violations to the state's attorney for investigation and possible prosecution."

Renumber accordingly