

Introduced by

Senators Schaible, Dever, Sorvaag

Representatives Meier, Rohr

1 A BILL for an Act to create and enact a new section to chapter 16.1-01 and a new section to
2 chapter 16.1-07 of the North Dakota Century Code, relating to emergency authority of the
3 secretary of state for the administration of elections.

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

5 **SECTION 1.** A new section to chapter 16.1-01 of the North Dakota Century Code is created
6 and enacted as follows:

7 **Secretary of state may postpone election under emergency declaration.**

8 The secretary of state may postpone an election in part or all of the state for a reasonable
9 time if, in a state of disaster or emergency declared by the governor under section 37-17.1-05,
10 the state of disaster or emergency is reasonably likely to substantially interfere with the election.
11 The period of the postponement of an election may not exceed thirty days from the regularly
12 scheduled date of the election. During the state of disaster or emergency, the secretary of state
13 may take any action necessary or expedient to facilitate the conduct of the postponed election.

14 **SECTION 2.** A new section to chapter 16.1-07 of the North Dakota Century Code is created
15 and enacted as follows:

16 **Emergency procedures to facilitate absentee voting.**

17 If an international, national, state, or local disaster or emergency or other situation arises
18 which makes substantial compliance with the Uniformed and Overseas Citizens Absentee
19 Voting Act [42 U.S.C. 1973ff et seq.] impossible or impracticable, as confirmed by the existence
20 of armed conflict involving the armed forces of the United States or the mobilization of those
21 forces, including national guard and reserve component members of this state, by the
22 occurrence of a natural disaster or the existence of a state of emergency, civil unrest, war, or
23 other exigency in a foreign country, or by an official declaration by the governor that a state of
24 disaster or emergency exists, the secretary of state may prescribe special procedures or

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- 1 requirements as may be necessary to facilitate absentee voting by those absent uniformed
- 2 services voters or overseas voters directly affected and who are eligible to vote in this state.