

**Sixty-third Legislative Assembly of North Dakota  
In Regular Session Commencing Tuesday, January 8, 2013**

HOUSE BILL NO. 1391  
(Representatives Brabandt, Beadle, Froseth)  
(Senator Larsen)

AN ACT to amend and reenact section 40-08-05 of the North Dakota Century Code, relating to qualifications of city council members.

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

**SECTION 1. AMENDMENT.** Section 40-08-05 of the North Dakota Century Code is amended and reenacted as follows:

**40-08-05. Qualifications of council members.**

~~A person~~An individual is not eligible to the office of council member if the ~~person~~:

1. ~~Is~~individual is not a qualified elector of and resident within the ward for which the ~~person~~individual was elected, except that in cities where council members are elected at large and not required to be a resident of the ward for which the ~~person~~individual is elected pursuant to section 40-08-04.2, the ~~person~~individual must be a qualified elector of and a resident within the city; ~~or~~
2. ~~Has been convicted of malfeasance, bribery, or other corrupt practice or crime.~~

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Chief Clerk of the House

\_\_\_\_\_  
Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-third Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1391.

House Vote:    Yeas 89            Nays 1            Absent 4

Senate Vote:    Yeas 33            Nays 13           Absent 1

\_\_\_\_\_  
Chief Clerk of the House

Received by the Governor at \_\_\_\_\_ M. on \_\_\_\_\_, 2013.

Approved at \_\_\_\_\_ M. on \_\_\_\_\_, 2013.

\_\_\_\_\_  
Governor

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 2013,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State