

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

HOUSE BILL NO. 1073
(Judiciary Committee)
(At the request of the Supreme Court)

AN ACT to create and enact a new section to chapter 27-02 of the North Dakota Century Code, relating to declaration of a judicial emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 27-02 of the North Dakota Century Code is created and enacted as follows:

Judicial emergency.

1. If the supreme court of this state declares a judicial emergency due to an emergency or natural disaster that substantially endangers or infringes upon the normal functioning of the judicial system, the ability of persons to avail themselves of the judicial system, or the ability of litigants or others to have access to the courts or to meet schedules or time deadlines imposed by law or court order, notice of the declaration must be provided as required by supreme court rule.
2. An order declaring a judicial emergency may suspend, toll, extend, or otherwise grant relief from deadlines, time schedules, statutes of limitations, statutes of repose, or filing requirements imposed by law, whether in civil or criminal cases, administrative matters, or any other legal proceedings as determined by the supreme court. An order declaring a judicial emergency may not suspend, toll, extend, or otherwise grant relief from deadlines, time schedules, or filing requirements that are required by the United States Constitution or the Constitution of North Dakota.

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. 1073.

House Vote: Yeas 94 Nays 0 Absent 0

Senate Vote: Yeas 47 Nays 0 Absent 0

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