

SENATE BILL NO. 2183

Introduced by

Senators Hogue, Wardner

Representatives Carlson, Bellew, Klemin, Nathe

1 A BILL for an Act to amend and reenact subsection 4 of section 16.1-01-09 and subsection 6 of
2 section 16.1-01-09.1 of the North Dakota Century Code, relating to qualifications of individuals
3 circulating initiated or referred measure and recall petitions; and to provide for application.

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

5 **SECTION 1. AMENDMENT.** Subsection 4 of section 16.1-01-09 of the North Dakota
6 Century Code is amended and reenacted as follows:

7 4. ~~No~~A petition may not be circulated under the authority of article III of the Constitution
8 of North Dakota by an individual ~~who is less than eighteen years of age, nor may the~~
9 ~~affidavit called for by subsection 3 be executed by an individual who is less than~~
10 ~~eighteen years of age at the time of signing~~unless the individual is a qualified elector
11 who has been a resident of the state for at least three years and who, according to the
12 central voter file, has voted in at least one of the preceding two statewide elections,
13 not including any special election. All petitions circulated under the authority of the
14 constitution and of this section must be circulated in their entirety. A petition may not
15 include a statement of intent or similar explanatory information.

16 **SECTION 2. AMENDMENT.** Subsection 6 of section 16.1-01-09.1 of the North Dakota
17 Century Code is amended and reenacted as follows:

18 6. A petition may not be circulated under the authority of article III of the Constitution of
19 North Dakota or section 44-08-21 by an individual ~~who is less than eighteen years of~~
20 ~~age, nor may the affidavit called for by subsection 3 be executed by an individual who~~
21 ~~is less than eighteen years of age at the time of signing~~unless the individual is a
22 qualified elector who has been a resident of the state for at least three years and who,
23 according to the central voter file, has voted in at least one of the preceding two

1 statewide elections, not including any special election. All petitions circulated under the
2 authority of the constitution and of this section must be circulated in their entirety.

3 **SECTION 3. APPLICATION - CONSTITUTIONALITY.** This Act applies to any petition
4 approved for circulation after the effective date of this Act. If the constitutionality of any provision
5 of this Act is challenged, the supreme court shall have and exercise exclusive original
6 jurisdiction over the matter.