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Sixty-fourth
Legislative Assembly
of North Dakota

SENATE BILL NO. 2369

Introduced by

Senators Warner, Wanzek

1 A BILL for an Act to create and enact a new section to chapter 16.1-16 of the North Dakota
2 Century Code, relating to audits of ballots and voting equipment.

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

4 **SECTION 1.** A new section to chapter 16.1-16 of the North Dakota Century Code is created
5 and enacted as follows:

6 **Ballot and voting equipment audit - Election contest.**

7 Upon request and deposit of a bond in an amount established by the county auditor which
8 is sufficient to pay the cost of the audit, a qualified elector of a county may request an audit of
9 all ballots and voting equipment used at any election in the county. The request must be filed
10 within five days after final certification of a recount by the appropriate canvassing board or
11 within fourteen days after the final certification by the appropriate canvassing board if no
12 recount was conducted. The audit must account for all ballots delivered to polling places and
13 mailed to applicants for absent voters' ballots or all ballots mailed under chapter 16.1-11.1. If the
14 results of the audit indicate irregularities in ballot counts which are at least equal to fifty percent
15 of the margin of victory in any election contest in the county, a candidate from any such contest
16 within that margin of victory may file a request with the district court to have the election or
17 nomination of the winning candidate or candidates voided and to direct a new election. The
18 request to have an election voided must be made in the same manner as an election contest
19 under this chapter and must be filed with the district court within fourteen days after the audit is
20 completed.