

**Sixty-eighth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 3, 2023**

HOUSE BILL NO. 1273
(Representatives Koppelman, Bellew, Heilman, Heinert, Kasper, Louser)
(Senators Clemens, Larsen, Meyer, Paulson, Vedaa, Wobbema)

AN ACT to create and enact a new section to chapter 16.1-01 of the North Dakota Century Code, relating to the prohibition of ranked-choice and approval voting in elections; and to amend and reenact subsection 7 of section 11-09.1-05 and subsection 9 of section 40-05.1-06 of the North Dakota Century Code, relating to home rule powers.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subsection 7 of section 11-09.1-05 of the North Dakota Century Code is amended and reenacted as follows:

7. Provide for all matters pertaining to county elections, except as to qualifications of electors and the limitations provided in section 2 of this Act.

SECTION 2. A new section to chapter 16.1-01 of the North Dakota Century Code is created and enacted as follows:

Ranked-choice voting - Approval voting - Prohibition.

1. A ranked-choice voting method that allows voters to rank candidates for an office in order of preference and has ballots cast tabulated in multiple rounds following the elimination of a candidate until a single candidate attains a majority may not be used in determining the election or nomination of any candidate to any local, state, or federal elective office.
2. An approval voting method that allows voters to vote for all the candidates the voter approves of in each race and the candidates receiving the most votes will be elected until all necessary seats are filled in each race may not be used in determining the election or nomination of any candidate to any local, state, or federal elective office.
3. Pursuant to a home rule charter or not, an ordinance enacted or adopted by a county, city, or other political subdivision which is in conflict with this section is void.

SECTION 3. AMENDMENT. Subsection 9 of section 40-05.1-06 of the North Dakota Century Code is amended and reenacted as follows:

9. To provide for all matters pertaining to city elections, except as to qualifications of electors and the limitations provided in section 2 of this Act.

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-eighth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1273.

House Vote: Yeas 74 Nays 19 Absent 1

Senate Vote: Yeas 33 Nays 13 Absent 1

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2023.

Approved at _____ M. on _____, 2023.

Governor

Filed in this office this _____ day of _____, 2023,

at _____ o'clock _____ M.

Secretary of State

Honorable Michael Howe
Secretary of State
Bismarck, North Dakota

I certify this Act, House Bill No. 1273, together with the objections of Governor Burgum, was returned to the House, being the body in which it originated, on April 6, 2023; that the objections of the Governor were read at length on April 10, 2023, and entered upon the Journal; that the Bill was taken up for reconsideration; that the motion for reconsideration prevailed on April 10, 2023, at 8:18 a.m.; and the roll was called and the Bill did pass, with more than two-thirds of the members-elect voting in the affirmative.

Vote:	Yeas	71
	Nays	17
	Absent and not voting	6

Speaker of the House

Chief Clerk of the House

Honorable Michael Howe
Secretary of State
Bismarck, North Dakota

I certify this Act, House Bill No. 1273, together with the objections of Governor Burgum, was received from the House, being the body in which it originated, on April 19, 2023; that the objections of the Governor were read at length on April 19, 2023, and entered upon the Journal; that the Bill was taken up for reconsideration; that the motion for reconsideration failed on April 19, 2023, at 12:59 p.m.; and the roll was called and the Bill failed to pass, with less than two-thirds of the members-elect voting in the affirmative.

Vote:	Yeas	28
	Nays	19
	Absent and not voting	0

President of the Senate

Secretary of the Senate