

HOUSE BILL NO. 1324

Introduced by

Representatives Kasper, Koppelman, Louser, Rohr, D. Ruby, Steiner, Vetter, Vigesaa

Senator Vedaa

1 A BILL for an Act to amend and reenact section 16.1-01-10 of the North Dakota Century Code,
2 relating to sufficiency of petitions as determined by the secretary of state.

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

4 **SECTION 1. AMENDMENT.** Section 16.1-01-10 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **16.1-01-10. Secretary of state to pass upon sufficiency of petitions - Method - Time**
7 **limit.**

8 The secretary of state shall have a reasonable period, not to exceed thirty-five days, in
9 which to pass upon the sufficiency of any petition mentioned in section 16.1-01-09. The
10 secretary of state shall conduct a representative random sampling of the signatures contained
11 in the petitions by the use of questionnaires, postcards, telephone calls, personal interviews, or
12 other accepted information-gathering techniques, or any combinations thereof, to determine the
13 validity of the signatures. Signatures determined by the secretary of state to be invalid may not
14 be counted and ~~and~~ if the number of valid signatures received is less than the required number of
15 signatures to place the measure on the ballot, the secretary of state may not allow the measure
16 to be placed on the ballot. When the secretary of state does not approve the measure to be
17 placed on the ballot due to an insufficient petition, the action is presumed to be lawful, unless
18 the presumption is rebutted by a preponderance of the evidence that the action of the secretary
19 of state was unlawful. All violations of law discovered by the secretary of state must be reported
20 to the attorney general for prosecution.