

HOUSE CONCURRENT RESOLUTION NO. 3031

Introduced by

Representatives Vetter, Cory, Hoverson, Klemin, Motschenbacher, Rios

Senator Paulson

1 A concurrent resolution to amend and reenact sections 2, 4, 8, and 9 of article III of the
2 Constitution of North Dakota, relating to the subject matter of initiated measures and
3 constitutional amendments, the establishment of an electronic signature gathering system by
4 the secretary of state, and the threshold for placing a measure on the ballot; to provide for
5 application; and to provide an effective date.

6 **STATEMENT OF INTENT**

7 This measure prohibits an initiated measure and a constitutional amendment placed on the
8 ballot from comprising more than one subject. This measure also requires the secretary of state
9 to implement, by December 31, 2025, and maintain an electronic signature gathering system for
10 receiving signatures for proposed measures. The measure provides after December 31, 2025,
11 the threshold for placing a constitutional amendment on the ballot is ten percent of the resident
12 population of the state at the last federal decennial census, and for all other measures, five
13 percent of the resident population of the state at the last federal decennial census. The
14 measure provides that if the majority of the total votes cast upon an initiated constitution
15 measure are affirmative and a majority affirmative vote is received in a majority of the counties
16 in the state, at both the primary and general election, the measure is enacted.

17 **BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE**
18 **SENATE CONCURRING THEREIN:**

19 That the following proposed amendments to sections 2, 4, 8, and 9 of article III of the
20 Constitution of North Dakota are agreed to and must be submitted to the qualified electors of
21 North Dakota at the general election to be held in 2024, in accordance with section 16 of
22 article IV of the Constitution of North Dakota.

23 **SECTION 1. AMENDMENT.** Section 2 of article III of the Constitution of North Dakota is
24 amended and reenacted as follows:

1 **Section 2.** An initiated measure may not comprise more than one subject. A petition to
2 initiate or to refer a measure must be presented to the secretary of state for approval as to form
3 and compliance with the single subject requirement. A request for approval must be presented
4 over the names and signatures of twenty-five or more electors as sponsors, one of whom must
5 be designated as chairman of the sponsoring committee. The secretary of state shall approve
6 the petition for circulation if it is in proper form and contains the names and addresses of the
7 sponsors and the full text of the measure.

8 The legislative assembly may provide by law for a procedure through which the legislative
9 council may establish an appropriate method for determining the fiscal impact of an initiative
10 measure and for making the information regarding the fiscal impact of the measure available to
11 the public.

12 The secretary of state shall establish and maintain a secure electronic signature gathering
13 system to be hosted on the website of the secretary of state. The secretary of state shall
14 procure the technical resources to allow any elector, upon proof of qualification, to electronically
15 sign forms and petitions relating to all initiated and referred measures, recall petitions, and
16 candidate nominations.

17 **SECTION 2. AMENDMENT.** Section 4 of article III of the Constitution of North Dakota is
18 amended and reenacted as follows:

19 **Section 4.** The petition may be submitted to the secretary of state if signed by electors
20 equal in number to ~~two~~five percent of the resident population of the state at the last federal
21 decennial census.

22 **SECTION 3. AMENDMENT.** Section 8 of article III of the Constitution of North Dakota is
23 amended and reenacted as follows:

24 **Section 8.** If a majority of votes cast upon an initiated statutory measure or a referred
25 measure are affirmative, ~~it shall be~~the measure is deemed enacted. An initiated statutory or
26 referred measure ~~which~~that is approved ~~shall become~~becomes law thirty days after the election,
27 and a referred measure ~~which~~that is rejected ~~shall be~~is void immediately. If conflicting measures
28 are approved, the ~~one~~measure receiving the highest number of affirmative votes shall be law. A
29 measure approved by the electors may not be repealed or amended by the legislative assembly
30 for seven years from ~~its~~the effective date of the measure, except by a two-thirds vote of the
31 members elected to each house.

1 **SECTION 4. AMENDMENT.** Section 9 of article III of the Constitution of North Dakota is
2 amended and reenacted as follows:

3 **Section 9.**

- 4 1. A constitutional amendment may be proposed by initiative petition. The proposed
5 amendment may not comprise more than one subject, and the secretary of state may
6 not approve the initiative petition for circulation if the proposed amendment comprises
7 more than one subject.
- 8 2. If signed by electors equal in number to ~~four~~ten percent of the resident population of
9 the state at the last federal decennial census, the petition may be submitted to the
10 secretary of state. The secretary of state shall place the proposed constitutional
11 amendment on the ballot at the next primary election. If the majority of the total votes
12 cast on the measure are affirmative and the measure is approved by a majority of the
13 votes cast in a majority of the counties in the state, the measure must be placed on
14 the ballot at the next general election for final consideration. If a majority of the total
15 votes cast for a proposed constitutional amendment are affirmative and the measure is
16 approved by a majority of the votes cast in a majority of the counties in the state in the
17 general election, the measure is deemed enacted.
- 18 3. All other provisions relating to initiative measures apply ~~heretoto~~ initiative measures for
19 constitutional amendments.

20 **SECTION 5. APPLICATION - EFFECTIVE DATE.** The requirement in section 1 of this
21 measure which requires the secretary of state to establish and maintain a secure electronic
22 signature gathering system becomes effective January 1, 2026. Section 2 of this measure
23 becomes effective January 1, 2026, and does not apply to any measure approved for circulation
24 before that date. The amendment to section 9 of article III of the Constitution of North Dakota in
25 section 4 of this measure becomes effective January 1, 2026, and does not apply to any
26 measure approved for circulation before that date.