

Sixty-ninth
Legislative Assembly
of North Dakota

SENATE CONCURRENT RESOLUTION NO. 4028

Introduced by

Senators Gerhardt, Hogue, Roers

Representatives Nathe, Brandenburg, Vigesaa

1 A concurrent resolution to create and enact a new article to the Constitution of North Dakota,
2 relating to term limits for the governor, lieutenant governor, statewide elected officials, and
3 members of the legislative assembly and prior years of service for members of the legislative
4 assembly and statewide elected officers; to repeal sections 2, 3, 4, 5, and 6 of article XV of the
5 Constitution of North Dakota, relating to cumulative term limits for members of the legislative
6 assembly and the office of governor, and legislative authority, initiative petition processes, and
7 severability; and to provide an effective date.

8 **STATEMENT OF INTENT**

9 This measure provides an individual may not be elected more than three times as a member of
10 the house of representatives and three times as a member of the senate. The measure restricts
11 an individual from being elected more than three times as agriculture commissioner, attorney
12 general, auditor, insurance commissioner, public service commissioner, secretary of state,
13 superintendent of public instruction, tax commissioner, or treasurer. The measure prohibits an
14 individual from being elected as the governor or lieutenant governor more than twice. The
15 measure provides that service before the 2018 general election may not count toward a term
16 limit established under the measure. The measure repeals conflicting provisions of article XV of
17 the Constitution of North Dakota and a provision prohibiting the legislative assembly from
18 proposing constitutional amendments relating to term limits. The measure provides the changes
19 will take effect on January 1, 2027.

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

22 That the following proposed new article to the Constitution of North Dakota and the repeal
23 of sections 2, 3, 4, and 5 of article XV of the Constitution of North Dakota are agreed to and
24 must be submitted to the qualified electors of North Dakota at the general election to be held in
25 2026, in accordance with section 16 of article IV of the Constitution of North Dakota.

1 **SECTION 1.** A new article to the Constitution of North Dakota is created and enacted as
2 follows:

3 **Section 1.** An individual may not be elected to the office of governor or lieutenant governor
4 more than twice. This provision does not prevent the lieutenant governor from succeeding to the
5 office of governor, nor does it prevent the secretary of state from acting as governor.

6 **Section 2.** An individual may not be elected agriculture commissioner, attorney general,
7 auditor, insurance commissioner, public service commissioner, secretary of state,
8 superintendent of public instruction, tax commissioner, or treasurer more than three times.

9 **Section 3.** Notwithstanding section 1 of article XV of the Constitution of North Dakota, an
10 individual may not be elected to the house of representatives more than three times, nor may
11 an individual be elected to the senate more than three times.

12 **Section 4.** Any prior election as a member of the house of representatives, a member of the
13 senate, the office of governor, lieutenant governor, and a statewide elected office, may not be
14 counted against the election of an individual occurring before the 2018 general election. An
15 individual's service by the lieutenant governor in the individual's capacity as president of the
16 senate does not count toward the cumulative amount of time an individual may serve as a
17 member of the senate.

18 **Section 5.** The provisions of this article are severable. If any provision is held to be invalid,
19 either on its face or as applied, the application of the remaining provisions of this article are not
20 affected.

21 **Section 6.** If a conflict exists between any provision of this article and any other provision of
22 this constitution, the provisions of this article control.

23 **SECTION 2. REPEAL.** Sections 2, 3, 4, 5, and 6 of article XV of the Constitution of North
24 Dakota are repealed.

25 **SECTION 3. EFFECTIVE DATE.** If approved by the electors, this measure becomes
26 effective on January 1, 2027.