

**HOUSE BILL NO. 1428**

Introduced by

Representatives Monson, Bellew, Damschen, Headland, Karls, Kasper, Owens, Skarphol,  
Streyle, Wieland

Senators Luick, Sitte

1 A BILL for an Act to create and enact a new section to chapter 54-03 of the North Dakota  
2 Century Code, relating to review of presidential executive orders.

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

4 **SECTION 1.** A new section to chapter 54-03 of the North Dakota Century Code is created  
5 and enacted as follows:

6 **Review of presidential executive orders.**

7 ~~The state of North Dakota reserves the right to review and, through the legislative-~~  
8 ~~assembly, approve or reject any executive order issued by the president of the United States-~~  
9 ~~which has not been affirmed by a vote of the United States Congress and signed into law as-~~  
10 ~~prescribed by the Constitution of the United States. The legislative management may review-~~  
11 ~~and temporarily suspend the implementation in this state of any such executive order not-~~  
12 ~~affirmed by the Congress until the legislative assembly, in the next regular or special legislative-~~  
13 ~~session, has the opportunity to consider each order referred to it by the legislative management.-~~  
14 ~~The legislative assembly may consider for approval or rejection any executive order issued-~~  
15 ~~since two calendar years before the effective date of this Act. The legislative management may~~  
16 ~~review any executive order issued by the president of the United States which has not been~~  
17 ~~affirmed by a vote of the Congress of the United States and signed into law as prescribed by the~~  
18 ~~Constitution of the United States and recommend to the attorney general and the governor that~~  
19 ~~the executive order be further reviewed to determine the constitutionality of the order and~~  
20 ~~whether the state should seek an exemption from the application of the order or seek to have~~  
21 ~~the order declared to be an unconstitutional exercise of legislative authority by the president.~~