A BILL for an Act to amend and reenact section 16.1-13-08 of the North Dakota Century Code, relating to filling vacancies in the office of United States senator and representative and in statewide elective offices; and to repeal section 16.1-13-08.1 of the North Dakota Century Code, relating to filling vacancies in the office of United States representative.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 16.1-13-08 of the North Dakota Century Code is amended and reenacted as follows:

16.1-13-08. Filling vacancy in office of United States senator or United States representative or statewide elective office.

When a vacancy occurs in the office of United States senator or representative in Congress from this state or a statewide elective office, the governor shall issue a writ of call a special election to be held within ninety-five days to fill the vacancy at the next statewide primary or general election, whichever occurs first, and that occurs at least ninety days after the vacancy. However, if the next primary or general election at which the vacancy could be filled occurs in the year immediately preceding the expiration of the term, then no election may be held. The governor, by appointment, may fill the vacancy temporarily, but any person so appointed shall serve only until the vacancy is filled by election or until the term expires if no election can be held. If the vacancy occurs within ninety-five days of the expiration of the term of office for that office, no election may be held to fill the vacancy.

SECTION 2. REPEAL. Section 16.1-13-08.1 of the North Dakota Century Code is repealed.