

Sixty-fourth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1181

Introduced by

Representatives Streyle, Brabandt, Dockter, Louser, Owens, Rohr, Schmidt

Senators Casper, Holmberg, Laffen, Unruh

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

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

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

8 **16.1-13-08. Filling vacancy in office of United States senator or United States**
9 **representative or statewide elective office.**

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

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 REPEAL.** Section 16.1-13-08.1 of the North Dakota Century Code is repealed.