

HOUSE BILL NO. 1270

Introduced by

Representatives Klemin, Blum, Boschee, Dockter, Heinert, Keiser, Meier, Nathe, Roers
Jones

Senators Dever, Dwyer, Oban

1 A BILL for an Act to create and enact subsection 5 of section 16.1-04-02 of the North Dakota
2 Century Code, relating to district party chairman approval of polling places; and to amend and
3 reenact subsection 2 of section 16.1-04-01, subdivision c of subsection 2 of section 16.1-07-15,
4 and subsection 1 of section 16.1-11.1-01 of the North Dakota Century Code, relating to
5 requirements to establish or alter precinct boundaries and polling places.

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

7 **SECTION 1. AMENDMENT.** Subsection 2 of section 16.1-04-01 of the North Dakota
8 Century Code is amended and reenacted as follows:

9 2. When establishing precincts under subsection 1, a board of county commissioners, in
10 cooperation with the county auditor, or a city governing body shall consult with and
11 seek input regarding the size, number, and proposed boundaries of the precincts from
12 representatives of the political parties organized within the county. ~~Upon the request of~~
13 ~~the district chairman of a political party, a board of county commissioners, in~~
14 ~~consultation with the county auditor, or the governing body of a city shall consider~~
15 ~~proposals to change precinct boundaries~~A board of county commissioners may not
16 establish or alter precinct boundaries without consulting the chairmen of the legislative
17 district parties and members of the legislative assembly of the districts that would be
18 affected. Precinct boundaries may not be established or altered without the consent of
19 a majority of the chairmen of the legislative district parties of the districts affected.

20 **SECTION 2.** Subsection 5 of section 16.1-04-02 of the North Dakota Century Code is
21 created and enacted as follows:

22 5. Polling places may not be designated or altered without the consent of a majority of
23 the chairmen of the legislative district parties of the districts affected.

1 **SECTION 3. AMENDMENT.** Subdivision c of subsection 2 of section 16.1-07-15 of the
2 North Dakota Century Code is amended and reenacted as follows:

3 c. The county auditor, with the consent of the board of county commissioners, shall
4 designate each early voting polling place in a public facility, accessible to the
5 elderly and the physically disabled as provided in section 16.1-04-02. Polling
6 places may not be designated or altered without the consent of a majority of the
7 chairmen of the legislative district parties of the districts affected. With respect to
8 polling places at early voting precincts, "election day" as used in sections
9 16.1-10-03 and 16.1-10-06.2 includes any time an early voting precinct polling
10 place is open.

11 **SECTION 4. AMENDMENT.** Subsection 1 of section 16.1-11.1-01 of the North Dakota
12 Century Code is amended and reenacted as follows:

13 1. The board of county commissioners of a county may conduct an election by mail
14 ballot. The mail ballot election must include city elections administered by the county
15 auditor and may include any other election administered by the county auditor
16 pursuant to an agreement with the governing body of a political subdivision within the
17 county. The board shall designate one or more polling places in the county to be open
18 on the day of the election for voting in the usual manner. The county auditor shall
19 place a notice at all polling places in the county used at the last statewide election
20 which states the location of the polling places open for the election. Polling places may
21 not be designated or altered without the consent of a majority of the chairmen of the
22 legislative district parties of the districts affected. The county auditor shall keep a
23 record of each mail ballot provided to qualified electors and provide to the election
24 board at each polling place open on the day of the election a list of every person who
25 applied for a mail ballot.