

SENATE BILL NO. 2311

Introduced by

Senators Marcellais, Davison, Schaible

Representatives Hager, Schneider

1 A BILL for an Act to amend and reenact subsection 4 of section 44-08-21 of the North Dakota
2 Century Code, relating to recalls of elected officials of political subdivisions.

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

4 **SECTION 1. AMENDMENT.** Subsection 4 of section 44-08-21 of the North Dakota Century
5 Code is amended and reenacted as follows:

6 4. The name of the official to be recalled must be placed on the ballot unless the official
7 resigns within ten days after the filing officer certifies the petition is valid and sufficient.
8 Other candidates for the office may be nominated in a manner provided by law and
9 shall file nominating papers with the appropriate filing officer by the sixty-fourth day
10 before the scheduled recall election. If the official resigns, the appropriate political
11 subdivision governing body may call a special election or appoint an individual to
12 complete the unexpired term of the office. When the election results have been
13 officially declared, the candidate receiving the highest number of votes is elected for
14 the remainder of the term. ~~No official is subject to recall twice during the term for which~~
15 ~~the official was elected. An official whose office is on the ballot at a regularly scheduled~~
16 ~~election occurring within one year is not subject to recall.~~