A BILL for an Act to amend and reenact sections 15.1-09-08 and 16.1-11-08, subsection 1 of section 16.1-11-11, subsection 1 of section 16.1-11-16, and sections 16.1-11-19, 16.1-11-24, and 40-21-08 of the North Dakota Century Code, relating to permitting party designations for candidates for county and local elections; and to repeal section 40-21-06 of the North Dakota Century Code, relating to party designations for candidates for municipal offices.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 15.1-09-08 of the North Dakota Century Code is amended and reenacted as follows:

15.1-09-08. School district elections - Candidate filings.

An individual seeking election to the board of a school district shall prepare and sign a document stating the individual's name and the position for which the individual is a candidate. If the individual wishes to have a political party designated on the ballot next to the individual's name, the individual shall identify the political party on the document. A candidate shall also shall file a statement of interests as required by section 16.1-09-02. Whether or not the election is held in conjunction with a statewide election, these documents must be filed with the school district business manager, or mailed to and in the possession of the business manager, by four p.m. of the sixty-fourth day before the election.

SECTION 2. AMENDMENT. Section 16.1-11-08 of the North Dakota Century Code is amended and reenacted as follows:

16.1-11-08. Reference to party affiliation in petition and affidavit prohibited for certain offices.

No reference to a party ballot or to the party affiliation of a candidate in a petition and affidavit filed by or on behalf of a candidate for nomination in the
primary election to an elective county office, the office of judge of the supreme court, judge of
the district court, or superintendent of public instruction.

SECTION 3. AMENDMENT. Subsection 1 of section 16.1-11-11 of the North Dakota Century Code is amended and reenacted as follows:

1. The candidate's name, post-office address, and telephone number, the title of the office to which the candidate aspires, the appropriate district number if applicable, and whether the petition is intended for nomination for an unexpired term of office if applicable, and, if the individual wishes to have a political party designated on the ballot next to the individual's name, the name of the political party.

SECTION 4. AMENDMENT. Subsection 1 of section 16.1-11-16 of the North Dakota Century Code is amended and reenacted as follows:

1. Each nominating petition circulated by candidates for any state, district, county, or other political subdivision office must include or have attached the following information, which must be made available to each signer at the time of signing:
   a. The candidate's name, address, and telephone number and the title of the office to which the candidate aspires, including the appropriate district number if applicable, or whether the petition is intended for an unexpired term of office if applicable.
   b. The name of the party the candidate represents if the petition is for an office under party designation, or, if the petition is for an office that does not require party designation, the name of the party the candidate wishes to appear next to the candidate's name on the ballot.
   c. The date of the election at which the candidate is seeking nomination or election.

SECTION 5. AMENDMENT. Section 16.1-11-19 of the North Dakota Century Code is amended and reenacted as follows:

16.1-11-19. Filling vacancy existing on state no-party ballot or county or district ballot - Petition required - Time of filing.

1. If a vacancy exists on a no-party ballot for a state office or for judge of a district court, the vacancy may be filled by filing with the secretary of state, before four p.m. on the sixty-fourth day prior to the primary election, a written petition as provided in section 16.1-11-06, stating that the petitioner desires to become a candidate for
nomination to the office for which a vacancy exists. If the petition is mailed, it must be in the possession of the secretary of state before four p.m. on the sixty-fourth day prior to the primary election. The petition for the nomination of any person to fill the vacancy must be signed by qualified electors equal in number to at least two percent of the total vote cast for governor at the most recent general election in the state or district at which the office of governor was voted upon, but in no case may more than three hundred signatures be required.

2. If a vacancy exists on a no-party ballot in a county or district within a county, the vacancy may be filled by filing with the county auditor, before four p.m. of the sixty-fourth day prior to the primary election, a written petition as provided in section 16.1-11-11, stating that the petitioner desires to become a candidate for nomination to the office for which a vacancy exists. If the petition is mailed, it must be in the possession of the county auditor before four p.m. on the sixty-fourth day prior to the primary election. The petition for the nomination of any person to fill the vacancy must be signed by qualified electors as provided in subdivision c of subsection 2 of section 16.1-11-11.

3. For purposes of this section, a vacancy in the no-party ballot must be deemed to exist if a candidate who was qualified by filing a petition pursuant to section 16.1-11-06 or 16.1-11-11 dies, resigns, or otherwise becomes disqualified to have the candidate's name printed on the ballot.

SECTION 6. AMENDMENT. Section 16.1-11-24 of the North Dakota Century Code is amended and reenacted as follows:


There must be a separate ballot entitled "no-party primary ballot" at all primary elections which must be entitled "no-party primary ballot" on which candidates for nomination to the offices included in section 16.1-11-08 are listed. The names of aspirants for nomination to each office included in section 16.1-11-08 must be arranged on the no-party primary ballot in separate groups in their order. The separate ballot may be on the same paper or electronic ballot, but the list of offices and candidates must be entitled "no-party primary ballot" in a manner to indicate clearly the separation of the no-party list of offices and candidates from the party list of offices and candidates. The names of all candidates for any of the offices mentioned in office included
in section 16.1-11-08 must be placed on the ballot without party designation. Immediately under
the name of each office must be placed the language: "Vote for no more than __________
name (or names)." The number inserted must be the number to be elected to the office at the
next succeeding general election.

SECTION 7. AMENDMENT. Section 40-21-08 of the North Dakota Century Code is
amended and reenacted as follows:

40-21-08. Ballots in municipalities - Arrangement.

The auditor of the city shall place only the names and, if applicable, party designations of
the persons nominated upon the ballot. The auditor shall arrange the offices upon the
ballot in the order in which they are named in the statutes. The auditor shall
determine the arrangement of the names of the candidates upon the ballot by conducting a
drawing immediately after the candidate filing deadline on the sixty-fourth day before the
election. The city auditor shall set the date, time, and location for conducting the drawing and
shall give advance notice of the drawing to the candidates involved.

SECTION 8. REPEAL. Section 40-21-06 of the North Dakota Century Code is repealed.