

**Sixty-seventh Legislative Assembly of North Dakota  
In Regular Session Commencing Tuesday, January 5, 2021**

HOUSE BILL NO. 1323  
(Representatives Hoverson, Magrum)  
(Senator O. Larsen)

AN ACT to create and enact a new section to chapter 23-07 of the North Dakota Century Code, relating to limitations on mask wearing requirements.

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

**SECTION 1.** A new section to chapter 23-07 of the North Dakota Century Code is created and enacted as follows:

**Limitations on requirements to wear a mask.**

A statewide elected official or the state health officer may not mandate an individual in this state use a face mask, face shield, or other face covering. This section applies, notwithstanding authority granted under other provisions of law, including section 23-01-05 and chapter 37-17.1.

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Chief Clerk of the House

\_\_\_\_\_  
Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-seventh Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1323.

House Vote:    Yeas 67            Nays 24            Absent 3

Senate Vote:    Yeas 30            Nays 17            Absent 0

\_\_\_\_\_  
Chief Clerk of the House

Received by the Governor at \_\_\_\_\_ M. on \_\_\_\_\_, 2021.

Approved at \_\_\_\_\_ M. on \_\_\_\_\_, 2021.

\_\_\_\_\_  
Governor

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 2021,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State

Honorable Al Jaeger  
Secretary of State  
Bismarck, North Dakota

I certify this Act, House Bill No. 1323, together with the objections of Governor Burgum, was returned to the House, being the body in which it originated, on April 22, 2021; that the objections of the Governor were read at length on April 22, 2021, and entered upon the Journal; that the Bill was taken up for reconsideration; that the motion for reconsideration prevailed on April 22, 2021, at 12:46 p.m.; and the roll was called and the Bill did pass, with more than two-thirds of the members-elect voting in the affirmative.

Vote:	Yeas	66
	Nays	27
	Absent and not voting	1

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Speaker of the House

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Chief Clerk of the House

Honorable Al Jaeger  
Secretary of State  
Bismarck, North Dakota

I certify this Act, House Bill No. 1323, together with the objections of Governor Burgum, was received from the House, being the body in which it originated, on April 22, 2021; that the objections of the Governor were read at length on April 22, 2021, and entered upon the Journal; that the Bill was taken up for reconsideration; that the motion for reconsideration prevailed on April 22, 2021, at 5:26 p.m.; and the roll was called and the Bill did pass, with more than two-thirds of the members-elect voting in the affirmative.

Vote:	Yeas	32
	Nays	15
	Absent and not voting	0

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President of the Senate

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Secretary of the Senate