

Sixty-seventh
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1457

Introduced by

Representative Becker

1 A BILL for an Act to amend and reenact section 37-17.1-10 of the North Dakota Century Code,
2 relating to local disasters or emergencies.

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

4 **SECTION 1. AMENDMENT.** Section 37-17.1-10 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **37-17.1-10. Local disasters, mandatory evacuations, or emergencies.**

- 7 1. Unless so declared in accordance with the provisions of subsection 4 of section
8 37-17.1-05, a local disaster, emergency, or mandatory evacuation order may be
9 declared only by the principal executive officer of the county or city. ~~A local disaster,
10 emergency, or mandatory evacuation order may not be continued or renewed for a
11 period in excess of~~ be in effect for a period of more than seven days except by or with
12 the consent of, unless the governing board of the county or city extends the order until
13 the next regularly scheduled meeting. Upon the expiration of an order issued under
14 this section, the governing body of the county or city may reauthorize the order until
15 the next regularly scheduled meeting. ~~An order under this subsection may not extend
16 for more than thirty one days from the date the order was issued.~~ Any order or
17 proclamation declaring a local disaster, emergency, or mandatory evacuation must be
18 given prompt and general publicity and must be filed promptly with the county or city
19 auditor.
- 20 2. The effect of a declaration of a local disaster or emergency is to activate the response
21 and recovery aspects of any and all applicable local disaster or emergency operational
22 plans and to authorize the furnishing of aid and assistance thereunder.

- 1 3. Notwithstanding section 1, a burn ban order based on changes to a federal or state
- 2 recognized fire index and issued pursuant to section 37-17.1-10.1 is not subject to
- 3 time limitations.