Sixty-sixth Legislative Assembly of North Dakota
In Regular Session Commencing Thursday, January 3, 2019

HOUSE BILL NO. 1201
(Representative Klemin)
(Senator J. Roers)

AN ACT to amend and reenact subsection 11 of section 16.1-01-09.1 and subsection 4 of section 44-08-21 of the North Dakota Century Code, relating to recalling elected officials.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subsection 11 of section 16.1-01-09.1 of the North Dakota Century Code is amended and reenacted as follows:

11. An official may not be recalled if the recall special election would ~~be held during the same~~occur within one year ~~in which~~of the ~~official's office would be included on~~next regularly scheduled election in which the ~~ballot~~official could be reelected.

SECTION 2. AMENDMENT. Subsection 4 of section 44-08-21 of the North Dakota Century Code is amended and reenacted as follows:

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

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-sixth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1201.

House Vote:	Yeas 80	Nays 12	Absent 2
Senate Vote:	Yeas 43	Nays 0	Absent 4

Chief Clerk of the House

Received by the Governor at 11:47 AM. on March 6, 2019.

Approved at 10:59 AM. on March 8, 2019.

Governor

Filed in this office this 8th day of March, 2019,

at 1:44 o'clock P. M.

Secretary of State