Sixty-fourth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 6, 2015

HOUSE BILL NO. 1445
(Representative Mock)

AN ACT to amend and reenact sections 16.1-15-04, 16.1-15-05, and 16.1-15-06 of the North Dakota Century Code, relating to election canvass reports.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 16.1-15-04 of the North Dakota Century Code is amended and reenacted as follows:

16.1-15-04. ~~Three canvass reports~~Canvass report prepared by election board ~~- One~~ for county auditor ~~and one for each political party.~~

The election board shall generate at least ~~three~~one canvass ~~reports~~report from the electronic voting system. The ballots may not be sealed, nor may the ~~three~~ canvass ~~reports~~report be signed, by the election board or poll clerk until the counts in the poll clerks' books and in the canvass ~~reports all show~~report shows the same totals for ballots cast. ~~A signed canvass report is to be given to each judge so that the political parties have a record of the votes cast.~~

In the case of the absentee ballot precinct as authorized in section 16.1-07-12.1, early voting precincts as authorized in section 16.1-07-15, and mail ballot precinct as authorized in section 16.1-11.1-06, if the work of the election board is completed prior to close of the polls on election day, the election board shall create and sign a statement consisting of a reconciliation of the number of voters recorded in the pollbook and the number of ballots processed through the tabulators. The voting system ~~shall then~~must be secured in a manner prescribed by the county auditor that will protect the system and ballots from tampering. Prior to generating the canvass ~~reports~~report from one of these three types of precincts, an election judge representing each political party, or two election judges in the case of an election that does not include a political party contest, shall verify that the system and ballots remain secure and the statement created by the election board is still accurate.

SECTION 2. AMENDMENT. Section 16.1-15-05 of the North Dakota Century Code is amended and reenacted as follows:

16.1-15-05. Oath required of members of election board upon completion of canvass - Contents.

At the conclusion of the canvass of the votes, each member of the election board shall sign an affidavit to the effect that the ballots have been counted and the votes canvassed as provided in this chapter and that the returns as disclosed by the canvass ~~reports~~report agree with the number of ballots cast and are true and correct of the member's own knowledge.

SECTION 3. AMENDMENT. Section 16.1-15-06 of the North Dakota Century Code is amended and reenacted as follows:

16.1-15-06. ~~Reports~~Canvass report and pollbooks sent to county auditor - Compensation for making returns.

Immediately following the canvass, except in cases of emergency or inclement weather, the inspector of elections, or one of the judges appointed by the inspector of elections, personally shall deliver ~~one of~~ the signed canvass ~~reports~~report provided for in section 16.1-15-04 to the county auditor. The ~~reports~~report, carefully sealed under cover, accompanied by the pollbook provided for in sections 16.1-02-13 and 16.1-06-21 with the oaths of the inspector and poll clerks affixed thereto, must be delivered properly to the county auditor. The ~~person~~individual making the return ~~shall~~is entitled to

receive compensation therefor in accordance with section 16.1-05-05. The compensation and mileage must be paid out of the county treasury on a warrant of the county auditor and is full compensation for returning all used or voided ballots to the proper official.

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-fourth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1445.

House Vote:	Yeas 90	Nays 3	Absent 1
Senate Vote:	Yeas 46	Nays 1	Absent 0

Chief Clerk of the House

Received by the Governor at 2:12 P.M. on April 7, 2015.

Approved at 11:47 A.M. on April 8, 2015.

Governor

Filed in this office this 8th day of April, 2015,

at 3:36 o'clock P M.

Secretary of State