

Introduced by

Senator Krauter

Representatives Froelich, Kerzman

1 A BILL for an Act to amend and reenact section 11-10-04 of the North Dakota Century Code,  
2 relating to the residence of candidates for election to a county office.

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

4 **SECTION 1. AMENDMENT.** Section 11-10-04 of the 1999 Supplement to the North  
5 Dakota Century Code is amended and reenacted as follows:

6 **11-10-04. Officer must be qualified elector - Exceptions.**

- 7 1. Except as otherwise specifically provided by the laws of this state, a county officer  
8 must be a qualified elector in the county in which the person is appointed, and a  
9 county commissioner must be a qualified elector in the district from which the  
10 commissioner is chosen. ~~Upon~~
- 11 2. Notwithstanding subsection 3, upon approval of the board of county  
12 commissioners of each affected county, a person may serve as an elected officer  
13 of more than one county and must be a qualified elector of one of the counties in  
14 which the person is elected.
- 15 3. A candidate for election to a county office must be, at the time of election, a  
16 qualified elector in the jurisdiction in which the candidate is to serve.
- 17 4. Two or more counties may appoint one person to fill the same office in each  
18 county and the person filling the office must be a qualified elector of one of the  
19 counties.
- 20 5. a. The boards of county commissioners of two or more counties may agree by  
21 resolution to elect a multicounty jurisdiction state's attorney pursuant to  
22 chapter 11-10.3. An agreement made between two or more counties  
23 according to this subsection must specify procedures for filing for office, the  
24 use of a single canvassing board, the sharing of election personnel, the

1                   printing of election materials, the publishing of legal notices, and the  
2                   apportioning of election expenses. A candidate for election to the office of  
3                   multicounty jurisdiction state's attorney must be a qualified elector of the  
4                   multicounty jurisdiction at the time of the election; or  
5                   b. The boards of county commissioners of two or more counties may agree by  
6                   resolution to allow any candidate for the office of state's attorney to petition for  
7                   office in each county, and to serve if elected, if the candidate is a qualified  
8                   elector of one of the counties at the time of the election. To be elected to  
9                   serve a county in which the candidate is not a resident, the candidate must  
10                  receive the highest number of votes for the office in that county. Each county  
11                  shall certify the results and issue certificates of election pursuant to chapter  
12                  16.1-15.