

HOUSE BILL NO. 1429

Introduced by

Representatives Dietrich, Iverson, Kaldor

1 A BILL for an Act to amend and reenact sections 15.1-09-08, 16.1-09-02, and 40-21-07 of the
2 North Dakota Century Code, relating to the filing of statement of interests by candidates.

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

4 **SECTION 1. AMENDMENT.** Section 15.1-09-08 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **15.1-09-08. School district elections - Candidate filings.** An individual seeking
7 election to the board of a school district shall prepare and sign a document stating the
8 individual's name and the position for which that individual is a candidate. A candidate shall
9 also file a statement of interests as required by section 16.1-09-02. If the election is held in
10 conjunction with a statewide election, ~~the document~~ these documents must be filed with the
11 school district business manager, or mailed to and in the possession of the business manager,
12 by four p.m. of the sixtieth day before the election. If the election is not held in conjunction with
13 a statewide election, the document must be filed with the school district business manager, or
14 mailed to and in the possession of the business manager, by four p.m. of the thirty-third day
15 before the election.

16 **SECTION 2. AMENDMENT.** Section 16.1-09-02 of the North Dakota Century Code is
17 amended and reenacted as follows:

18 **16.1-09-02. Statement of interests to be filed.** Every candidate for elective office
19 shall file a statement of interests as required by this chapter. In a year when a president and
20 vice president of the United States are to be chosen, presidential and vice presidential
21 candidates shall file with the secretary of state either a statement of interests as required by this
22 chapter or a copy of the personal disclosure statement that is required by the federal election
23 commission. ~~A candidate for elective office shall file the statement of interests with the officer~~
24 ~~with whom the candidate filed the candidate's certificate of nomination, certificate of~~

1 ~~endorsement, petition of nomination, or certificate of write-in candidacy.~~ Candidates for elective
2 office who are required to file such statements shall do so with the filing officer for that election
3 at the time of filing a certificate of nomination, a certificate of endorsement, a petition of
4 nomination, or a certificate of write-in candidacy, pursuant to chapter 16.1-11, 16.1-12, or
5 40-21, as is appropriate. A person who has filed a statement as the result of candidacy in a
6 primary election need not refile before running in the following general election. A write-in
7 candidate who is not required to file a certificate of write-in candidacy shall file the statement of
8 interests after the candidate's election at the time of filing the required oath of office. Every
9 person who is appointed by the governor to a state agency, board, bureau, commission,
10 department, or occupational or professional licensing board shall file a statement of interests as
11 required by this chapter with the secretary of state simultaneously with announcement of the
12 appointment.

13 **SECTION 3. AMENDMENT.** Section 40-21-07 of the North Dakota Century Code is
14 amended and reenacted as follows:

15 **40-21-07. Petition for nomination of elective official in cities - Signatures required**
16 **- Withdrawal of petition - Contents.** A candidate for any public office in an incorporated city
17 may be nominated by filing with the city auditor, at least sixty days and before four p.m. on the
18 sixtieth day before the holding of the election, a petition signed by not less than ten percent of
19 the number of qualified electors who voted for that office in the last city election. A candidate
20 shall also file a statement of interests as required by section 16.1-09-02. If multiple candidates
21 were elected to the office at the preceding city election at which the office was voted upon, the
22 number of signatures must equal at least ten percent of the total votes cast for all candidates
23 divided by the number of candidates that were to be elected to that office at that election.
24 Qualified electors who sign a petition must reside within the ward or precinct in and for which
25 that officer is to be elected, if the election is by wards, or within the corporate limits of the city if
26 the officer is elected at large. In cities operating under the commission system of government
27 the required petition may be signed by the qualified electors at large residing within the city. If a
28 petition is mailed, it must be in the possession of the city auditor before four p.m. on the sixtieth
29 day prior to the holding of the election. However, no more than three hundred signatures may
30 be required and the signatures may be on separate sheets of paper. Petitions must meet the
31 specifications of nominating petitions pursuant to section 16.1-11-16. If a city election is not

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1 combined with a state or county election according to section 40-21-02, a candidate may be
2 nominated by filing the required petition with the city auditor at least thirty-three days and before
3 four p.m. on the thirty-third day before the holding of the election. A candidate may withdraw
4 the candidate's nominating petition at any time before the applicable deadlines for filing
5 nominating petitions provided for in this section. Nominating petitions required by this section
6 may not be circulated or signed more than ninety days before the date when nominating
7 petitions must be filed pursuant to this section. Any signatures to a nominating petition
8 obtained more than ninety days before that date may not be counted.