

Introduced by

Senators Triplett, Wardner, Schneider

Representatives Carlson, Onstad

1 A BILL for an Act to create and enact a new section to chapter 54-03 of the North Dakota  
2 Century Code, relating to a request by a legislative majority or minority leader for an opinion of  
3 the legislative council on the constitutionality of pending legislation.

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

5 **SECTION 1.** A new section to chapter 54-03 of the North Dakota Century Code is created  
6 and enacted as follows:

7 **Constitutionality opinion regarding pending legislation.**

8 The majority or minority leader of the house of representatives or the senate may file a  
9 written request of the director of the legislative council to direct the issuance of a formal opinion  
10 of the legislative council on the constitutionality of pending legislation. A request for an opinion  
11 must identify the pending legislation and the aspect of that legislation on which the  
12 constitutionality is questioned. The formal opinion must state the consensus of the legislative  
13 council legal staff on the constitutionality of the pending legislation and cite the authority  
14 considered to reach that opinion.