

Introduced by

Senators Miller, Armstrong, Axness

Representatives Kasper, Thoreson, Strinden

1 A BILL for an Act to amend and reenact sections 1-08-09, 16.1-10-06, and 16.1-10-06.2 of the  
2 North Dakota Century Code, relating to the restricted area around polling places for certain  
3 activities.

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

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

7 **1-08-09. Service of civil process ~~on election day~~within boundary of an open polling**  
8 **location.**

9 During ~~the day on which~~ any primary, general, or special election is held in this state, or in  
10 any district, county, city, or precinct, civil process may not be served on any person entitled to  
11 vote at the election within one hundred feet [30.48 meters] from the outermost entrance leading  
12 into the building or facility in which a polling place is located and open for voting.

13 **SECTION 2. AMENDMENT.** Section 16.1-10-06 of the North Dakota Century Code is  
14 amended and reenacted as follows:

15 **16.1-10-06. Electioneering ~~on election day~~ ~~Penalty~~within boundary of an open**  
16 **polling location.**

17 ~~Any person asking, soliciting~~No individual shall ask, solicit, or in any manner tryingtry to  
18 induce or persuade, any voter ~~on an election day~~within a polling place or within one hundred  
19 feet [30.48 meters] from the entrance to the room containing a polling place while it is open for  
20 voting to vote or refrain from voting for any candidate or the candidates or ticket of any political  
21 party or organization, or any measure submitted to the people, ~~is guilty of an infraction.~~ The  
22 display upon motor vehicles of adhesive signs which are not readily removable and which  
23 promote the candidacy of any individual, any political party, or a vote upon any measure, and  
24 political advertisements promoting the candidacy of any individual, political party, or a vote upon

1 any measure which are displayed on fixed permanent billboards, may not, however, be deemed  
2 a violation of this section. However, vehicles and movable signs of any type containing political  
3 messages as described by this section shall only be allowed to remain within the restricted area  
4 for the period of time necessary for the owner or operator of the vehicle or sign to complete the  
5 act of voting.

6 **SECTION 3. AMENDMENT.** Section 16.1-10-06.2 of the North Dakota Century Code is  
7 amended and reenacted as follows:

8 **16.1-10-06.2. Sale or distribution at polling place.**

9 A person may not approach a person attempting to enter a polling place, or who is in a  
10 polling place, for the purpose of selling, soliciting for sale, advertising for sale, or distributing any  
11 merchandise, product, literature, or service. A person may not approach a person attempting to  
12 enter a polling place, who is in a polling place, or who is leaving a polling place for the purpose  
13 of gathering signatures for any reason. These prohibitions apply in any polling place or within  
14 one hundred feet [30.48 meters] from any entrance leading into a polling place ~~on election-~~  
15 daywhile it is open for voting.