

Sixty-fourth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1348

Introduced by

Representatives Holman, Devlin, J. Nelson, Pollert

Senators Dotzenrod, Erbele, Heckaman

1 A BILL for an Act to amend and reenact subsection 1 of section 16.1-07-08 and section
2 16.1-11.1-03 of the North Dakota Century Code, relating to delivery of absent voters' ballots and
3 mail ballots.

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

5 **SECTION 1. AMENDMENT.** Subsection 1 of section 16.1-07-08 of the North Dakota
6 Century Code is amended and reenacted as follows:

7 1. ~~Upon~~Except as otherwise required under this chapter for a covered voter as defined in
8 section 16.1-07-18, upon receipt of an application for an official ballot properly filled
9 out and duly signed, ~~or as soon thereafter as the official ballot for the precinct in which~~
10 ~~the applicant resides has been prepared, but no earlier than twenty-one days before~~
11 the election, the county auditor, city auditor, or business manager of the school district,
12 as the case may be, shall send to the absent voter by mail, at the expense of the
13 political subdivision conducting the election, one official ballot, or personally deliver the
14 ballot to the applicant or the applicant's agent, which agent may not, at that time, be a
15 candidate for any office to be voted upon by the absent voter. The agent shall sign the
16 agent's name before receiving the ballot and deposit with the auditor or business
17 manager of the school district, as the case may be, authorization in writing from the
18 applicant to receive the ballot or according to requirements set forth for signature by
19 mark. The auditor or business manager of the school district, as the case may be, may
20 not provide an absent voter's ballot to a person acting as an agent who cannot provide
21 a signed, written authorization from an applicant. No person may receive
22 compensation, including money, goods, or services, for acting as an agent for an
23 elector, nor may a person act as an agent for more than four electors in any one

1 election. A voter voting by absentee ballot may not require the political subdivision
2 providing the ballot to bear the expense of the return postage for an absentee ballot.

3 **SECTION 2. AMENDMENT.** Section 16.1-11.1-03 of the North Dakota Century Code is
4 amended and reenacted as follows:

5 **16.1-11.1-03. Mail ballot distribution.**

6 ~~The~~Unless otherwise required by law, no earlier than twenty-one days before the election,
7 the county auditor shall mail an official mail ballot with a return identification envelope, voter's
8 affidavit, and instructions according to section 16.1-07-08.