

Sixty-fourth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1181

Introduced by

Representatives Streyle, Brabandt, Dockter, Louser, Owens, Rohr, Schmidt

Senators Casper, Holmberg, Laffen, Unruh

1 A BILL for an Act to amend and reenact section 16.1-13-08 of the North Dakota Century Code,
2 relating to filling vacancies in the office of United States senator.

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

4 **SECTION 1. AMENDMENT.** Section 16.1-13-08 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **16.1-13-08. Filling vacancy in office of United States senator.**

7 When a vacancy occurs in the office of United States senator from this state, the governor
8 shall ~~issue a writ of call a special~~ election to be held within ninety-five days to fill the vacancy at
9 ~~the next statewide primary or general election, whichever occurs first, and that occurs at least~~
10 ~~ninety days after the vacancy. However, if the next primary or general election at which the~~
11 ~~vacancy could be filled occurs in the year immediately preceding the expiration of the term, then~~
12 ~~no election may be held. The governor, by appointment, may fill the vacancy temporarily, but~~
13 ~~any person so appointed shall serve only until the vacancy is filled by election or until the term~~
14 ~~expires if no election can be held. If the vacancy occurs within ninety-five days of the expiration~~
15 of the term of office for that office, no election may be held to fill the vacancy.