

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 appoint an individual to fill the office until a special election is held and the
9 individual elected at the special election is sworn into office. The governor shall call a special
10 election to be held within ninety-five days to fill the vacancy at the next statewide primary or
11 general election, whichever occurs first, and that occurs at least ninety days after the vacancy.
12 However, if the next primary or general election at which the vacancy could be filled occurs in
13 the year immediately preceding the expiration of the term, then no election may be held. The
14 governor, by appointment, may fill the vacancy temporarily, but any person so appointed shall
15 serve only until the vacancy is filled by election or until the term expires if no election can be
16 held. If the vacancy occurs within ninety-five days of the expiration of the term of office for that
17 office, no election may be held to fill the vacancy.