

Sixty-fifth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1435

Introduced by

Representatives Skroch, Brandenburg, Grueneich, Headland, Kasper, K. Koppelman, Olson,
D. Ruby, Trottier

Senators Clemens, O. Larsen

1 | A BILL ~~for an Act to amend and reenact section 21-03-11 of the North Dakota Century Code,~~
2 | ~~relating to school bond issue elections.~~ for an Act to amend and reenact section 16.1-01-11 of
3 | the North Dakota Century Code, relating to school bond issue elections.

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

5 | ~~**SECTION 1. AMENDMENT.** Section 21-03-11 of the North Dakota Century Code is~~
6 | ~~amended and reenacted as follows:~~

7 | ~~**21-03-11. Elections – When and how called and held.**~~

8 | ~~**1.** Upon or after the adoption of an initial resolution by the governing body, or at the first~~
9 | ~~meeting of the governing body held after the filing of a petition and proposed initial~~
10 | ~~resolution by the qualified electors as specified in subsection 2 of section 21-03-10,~~
11 | ~~the governing body by resolution shall provide for submitting to the qualified electors of~~
12 | ~~the municipality the question whether the initial resolution shall be approved. The date~~
13 | ~~of the election must be not less than twenty days after the passage of the initial~~
14 | ~~resolution by the governing body or in the filing of a sufficient petition therefor by the~~
15 | ~~qualified electors. The governing body shall designate the date of the election, the~~
16 | ~~polling hours, and polling place, which must be the same as for municipal elections~~
17 | ~~therein, and shall appoint an inspector, two judges, and two clerks of election for each~~
18 | ~~polling place. In case of the absence of any election official, or the official's inability to~~
19 | ~~act at the opening of the polls, the remaining election officials for the polling place shall~~
20 | ~~appoint a qualified elector to fill the vacancy. The election must be conducted and the~~
21 | ~~returns thereof made and canvassed as in the case of elections of members of the~~
22 | ~~governing body of the municipality.~~

1 ~~2. A school board may call a special election for a school bond issue no more than~~
2 ~~two times in an odd-numbered year, and a school bond issue placed on the ballot in~~
3 ~~an even-numbered year must be placed on the ballot at a statewide primary or general~~
4 ~~election.~~

5 **SECTION 1. AMENDMENT.** Section 16.1-01-11 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **16.1-01-11. Certain questions not to be voted upon for ~~three~~five months.**

- 8 1. Whenever at any election a bond issue or mill levy question has failed to receive the
9 required number of votes for approval by the electors, the matter may not again be
10 submitted to a vote until a period of at least ~~three~~five months or one hundred fifty days
11 has expired.
- 12 2. a. More than two elections on the same general matter may not be held within
13 twelve consecutive calendar months.
- 14 b. If the matter to be placed before the electors for a third or subsequent time
15 involves authorization for a school construction bond issuance in accordance with
16 chapter 21-03, the board of the school district shall resubmit its school
17 construction proposal to the superintendent of public instruction for the purpose
18 of obtaining the superintendent's approval, in the same manner as required for an
19 initial approval in accordance with section 15.1-36-01.