

HOUSE BILL NO. 1170

Introduced by

Representatives Nehring, Hagert

1 A BILL for an Act to create and enact section 58-04-02.2 of the North Dakota Century Code,
2 relating to the removal of township officers; and to amend and reenact subsection 1 of section
3 44-08-21 and section 58-04-02 of the North Dakota Century Code, relating to the removal of
4 township officers.

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

6 **SECTION 1. AMENDMENT.** Subsection 1 of section 44-08-21 of the North Dakota Century
7 Code is amended and reenacted as follows:

8 1. An elected official of a political subdivision, except a township officer or an official
9 subject to recall under section 10 of article III of the Constitution of North Dakota, is
10 subject to recall by petition of electors equal in number to twenty-five percent of the
11 voters who voted in the most recent election that the official sought to be recalled was
12 on the ballot, not including other recall elections. An official who was appointed to fill a
13 vacancy is subject to recall by petition of electors equal in number to twenty-five
14 percent of the voters who voted in the most recent election that the office of the official
15 sought to be recalled was on the ballot, not including other recall elections. The
16 provisions of section 16.1-01-09.1, as they relate to signing and circulating recall
17 petitions, apply to petitions under this section.

18 **SECTION 2. AMENDMENT.** Section 58-04-02 of the North Dakota Century Code is
19 amended and reenacted as follows:

20 **58-04-02. Special meetings - When held.**

21 A special township meeting may be held for the purpose of electing:

- 22 1. Electing township officers to fill vacancies that occur, ~~to authorize~~;
23 2. Authorizing expansion of the board of township supervisors from three to five
24 members, ~~or for the purpose of transacting~~;

1 3. Removing an elected township officer:

2 4. Transacting other lawful township business whenever the supervisors or township
3 clerk, or any two of them, or twenty percent of the freeholders of the township, shall
4 file in the office of the township clerk a written statement that a special meeting is
5 necessary; or whenever

6 5. Whenever a special meeting is required by any other provision of the laws of this
7 state.

8 **SECTION 3.** Section 58-04-02.2 of the North Dakota Century Code is created and enacted
9 as follows:

10 **58-04-02.2. Removal of township officers - Special meeting.**

11 An elected township officer may be removed from office upon an affirmative vote of the
12 majority of votes cast at a special meeting of the township which is called for the purpose of
13 removing an elected township officer. If an officer is removed from office at the special meeting,
14 the voters shall elect a replacement officer at the same meeting.