

Sixty-seventh
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1397

Introduced by

Representatives Pollert, Louser

Senators Klein, Wardner

1 A BILL for an Act to establish a legislative management redistricting committee, to provide for
2 the implementation of a legislative redistricting plan, to exempt drafts of redistricting plans from
3 open records requirements, to provide for public access to plans that are distributed or reported,
4 and to provide for a special legislative session; to provide an expiration date; and to declare an
5 emergency.

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

7 **SECTION 1. LEGISLATIVE MANAGEMENT REDISTRICTING COMMITTEE - OPEN**
8 **RECORDS EXEMPTION - SPECIAL LEGISLATIVE SESSION.**

- 9 1. The chairman of the legislative management shall appoint a committee to develop a
10 legislative redistricting plan to be implemented in time for use in the 2022 primary
11 election. The committee must consist of an equal number of members from the senate
12 and the house of representatives appointed by the chairman of the legislative
13 management.
- 14 2. The committee shall ensure any legislative redistricting plan submitted to the
15 legislative assembly for consideration must be of compact and contiguous territory and
16 conform to all constitutional requirements with respect to population equality. The
17 committee may adopt additional constitutionally recognized redistricting guidelines and
18 principles to implement in preparing a legislative redistricting plan for submission to
19 the legislative assembly.
- 20 3. The committee shall submit a redistricting plan and legislation to implement the plan to
21 the legislative management by November 30, 2021.
- 22 4. A draft of the legislative redistricting plan created by the legislative council or a
23 member of the legislative assembly is an exempt record as defined in section
24 44-04-17.1 until presented or distributed at a meeting of the legislative management, a

1 legislative management committee, or the legislative assembly, at which time the
2 presented or distributed draft is an open record. If possible, the presented or
3 distributed draft must be made accessible to the public on the legislative branch
4 website such as through the use of hyperlinks in the online meeting agenda. Any
5 version of a redistricting plan ~~created before the completion of the plan~~ other than the
6 version presented or distributed at a meeting of the legislative management, a
7 legislative management committee, or the legislative assembly is an exempt record
8 ~~regardless of whether the completed plan is presented or distributed subsequently at a~~
9 ~~meeting.~~

- 10 5. The chairman of the legislative management shall request the governor to call a
11 special session of the legislative assembly pursuant to section 7 of article V of the
12 Constitution of North Dakota to allow the legislative assembly to adopt a redistricting
13 plan to be implemented in time for use in the 2022 primary election and to address any
14 other issue that may be necessary.

15 **SECTION 2. EXPIRATION DATE.** This Act is effective through July 31, 2022, and after that
16 date is ineffective.

17 **SECTION 3. EMERGENCY.** This Act is declared to be an emergency measure.