

HOUSE BILL NO. 1320

Introduced by

Representatives Kasper, Henderson, Hoverson, Koppelman, Louser, Rohr, M. Ruby, Steiner
Senators Clemens, Myrdal, Paulson

1 A BILL for an Act to amend and reenact section 16.1-15-13 of the North Dakota Century Code,
2 relating to ballot retention requirements.

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

4 **SECTION 1. AMENDMENT.** Section 16.1-15-13 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **16.1-15-13. County recorder to keep ballots - Exception - Use of ballots as evidence.**

7 Immediately upon receiving the ballots as provided in section 16.1-15-08, the county
8 recorder shall give a receipt to the election judges and shall place the ballots in boxes that are
9 securely locked. The boxes must be placed in a fireproof vault and must be kept securely for
10 ~~forty-five days if the ballots do not contain federal offices and twenty-two months if the ballots~~
11 ~~contain federal offices~~twenty-five months. The ballots may not be opened ~~nor~~or inspected,
12 except upon court order in a contested election, when it is necessary to produce them at a trial
13 for any offense committed at an election, or to permit election officials to complete their duties.
14 ~~Either forty-five days or twenty-two months~~Twenty-five months after the election dependent
15 ~~upon the retention schedule outlined in this section~~, upon determination by the county recorder
16 that no contest is pending, the ballots must be destroyed. If any contest of the election of any
17 officer voted for at the election or a prosecution under the provisions of this title is pending at
18 the expiration of the time, the ballots may not be destroyed until the contest or prosecution is
19 finally determined. The ballots returned to the county recorder as provided in this section must
20 be received in evidence without introducing further foundation.