

Sixty-fifth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1104

Introduced by

Government and Veterans Affairs Committee

(At the request of the Adjutant General)

1 A BILL for an Act to amend and reenact section 37-01-04 of the North Dakota Century Code,
2 relating to the governor's authority to call out the national guard.

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

4 **SECTION 1. AMENDMENT.** Section 37-01-04 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **37-01-04. Governor's authority to order out national guard - Reserve militia ordered**
7 **out.**

8 In case of insurrection, invasion, tumult, riot, breach of the peace, cyber attack, or imminent
9 danger thereof, to provide a presence at state ceremonial events, to provide assistance to
10 political entities in search and rescue efforts or to respond to a potential natural or
11 environmental hazard or nuisance, or to perform training activities, the governor may order into
12 the active service of this state any part of the national guard that the governor may deem
13 proper. When the national guard of this state, or a part thereof, is called forth under the
14 Constitution of the United States and the laws of the United States, the governor shall order out
15 for service the remaining troops or such part thereof as may be necessary. If the number of
16 available troops is insufficient, the governor shall order out such part of the reserve militia as the
17 governor may deem necessary.