

**HOUSE BILL NO. 1288**

Introduced by

Representatives Kasper, Beadle, Brabandt, Dosch, Headland, Holman, Louser, Rohr,  
Thoreson

Senators Flakoll, Wardner

1 A BILL for an Act to amend and reenact sections 16.1-04-02 and 16.1-11.1-01 of the North  
2 Dakota Century Code, relating to voting places.

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

4 **SECTION 1. AMENDMENT.** Section 16.1-04-02 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **16.1-04-02. Voting places - Duties and responsibilities of the board of county**  
7 **commissioners or the governing body of the city.**

8 The board of county commissioners of each county:

- 9 1. Shall designate a voting place for each precinct and may alter the voting places when  
10 there is a good and sufficient reason. However, ~~the voting places for precincts~~  
11 ~~located any precinct that includes territory~~ within the boundaries of any incorporated  
12 city, ~~the voting place~~ must be designated, and altered if required, by the governing  
13 body of the city. Each incorporated city that has a population of over one thousand  
14 must have at least one voting place within the city open on the day of a statewide  
15 election. Each legislative district must have at least one voting place within the district  
16 open on the day of a statewide election. In any legislative district that comprises more  
17 than one county, at least one voting place within the district in each county must be  
18 open on the day of a statewide election.
- 19 2. Shall provide that all voting places are accessible to the elderly and the physically  
20 disabled.
- 21 3. May utilize vote centers that contain all of the precincts in a county so that any  
22 qualified elector of the county may choose to cast a ballot in that polling location.  
23 Qualified electors may vote early at early voting precincts, by absentee ballot, at the

1 polling location of their residential precinct, or at a county vote center. Vote center  
2 polling places must serve as the designated polling place for at least one precinct in  
3 the county in addition to serving as the site where any county voter may cast a ballot.  
4 An individual voting or attempting to vote more than once in any single election is  
5 guilty of a class A misdemeanor.

6 **SECTION 2. AMENDMENT.** Section 16.1-11.1-01 of the North Dakota Century Code is  
7 amended and reenacted as follows:

8 **16.1-11.1-01. Counties may conduct mail ballot elections - Polling places - Records.**

- 9 1. The board of county commissioners of a county may conduct an election by mail  
10 ballot. The mail ballot election must include city elections administered by the county  
11 auditor and may include any other election administered by the county auditor  
12 pursuant to an agreement with the governing body of a political subdivision within the  
13 county. The board and the governing body of a city shall designate one or more, as  
14 provided under section 16.1-04-02, polling places in the county to be open on the day  
15 of the election for voting in the usual manner. The county auditor shall place a notice  
16 at all polling places in the county used at the last statewide election which states the  
17 location of the polling places open for the election. The county auditor shall keep a  
18 record of each mail ballot provided to qualified electors and provide to the election  
19 board at each polling place open on the day of the election a list of every person who  
20 applied for a mail ballot.
- 21 ~~2. The board of county commissioners of a county may conduct an election partially by~~  
22 ~~mail ballot. If the board of county commissioners chooses to conduct an election~~  
23 ~~partially by mail ballot, the commission may use mail ballots for any precinct in which~~  
24 ~~fewer than four hundred votes were cast for the office of governor at the last general~~  
25 ~~election at which that office was on the ballot.~~