

**FIRST ENGROSSMENT
with Senate Amendments
ENGROSSED HOUSE BILL NO. 1457**

Introduced by

Representative Becker

1 A BILL for an Act to amend and reenact section 37-17.1-10 of the North Dakota Century Code,
2 relating to local disasters or emergencies.

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

4 **SECTION 1. AMENDMENT.** Section 37-17.1-10 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **37-17.1-10. Local disasters, mandatory evacuations, or emergencies.**

- 7 1. Unless so declared in accordance with the provisions of subsection 4 of section
8 37-17.1-05, a local disaster, emergency, or mandatory evacuation order may be
9 declared only by the principal executive officer of the county or city. ~~A local disaster,~~
10 ~~emergency, or mandatory evacuation order may not be continued or renewed for a~~
11 ~~period in excess of~~ be in effect for a period of more than seven days except by or with
12 ~~the consent of, unless~~ the governing board of the county or city extends the order until
13 the next regularly scheduled meeting. Upon the expiration of an order issued under
14 this section, the governing body of the county or city may reauthorize the order until
15 the next regularly scheduled meeting. Any order or proclamation declaring a local
16 disaster, emergency, or mandatory evacuation must be given prompt and general
17 publicity and must be filed promptly with the county or city auditor.
- 18 2. The effect of a declaration of a local disaster or emergency is to activate the response
19 and recovery aspects of any and all applicable local disaster or emergency operational
20 plans and to authorize the furnishing of aid and assistance thereunder.
- 21 3. Notwithstanding section 1, a burn ban order based on changes to a federal or state
22 recognized fire index and issued pursuant to section 3717.110.1 is not subject to time
23 limitations.