

**Sixty-seventh Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 5, 2021**

SENATE BILL NO. 2271
(Senators Erbele, Dever, Kreun)
(Representatives D. Johnson, Trottier)

AN ACT to provide a statement of legislative intent regarding presidential elections; to provide for a legislative management study; and to provide a directive.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. LEGISLATIVE INTENT - OPPOSITION TO NATIONAL POPULAR VOTE INTERSTATE COMPACT - APPEAL TO CONGRESS. It is the intent of the sixty-seventh legislative assembly to oppose the national popular vote interstate compact, which would circumvent the electoral process set forth in the United States Constitution. If the compact becomes effective, the compact will require each signatory state to award the state's electoral college votes to the presidential candidate who received the most popular votes in all fifty states and the District of Columbia. Fifteen states and the District of Columbia have adopted the compact. However, the current system for awarding electoral college votes to the winners of state elections fulfills the requirements for appointing electoral college electors under Article II of the United States Constitution and ensures states have proportionate representation in presidential elections. The sixty-seventh legislative assembly urges Congress not to consent to the interstate compact and to oppose any efforts to seek a national popular election of a president other than through an amendment to the Constitution.

SECTION 2. LEGISLATIVE MANAGEMENT STUDY - NATIONAL POPULAR VOTE INTERSTATE COMPACT. During the 2021-22 interim, the legislative management shall consider studying how to defeat the effort of the national popular vote interstate compact to ensure the electoral college process is preserved as prescribed in the United States Constitution. The study also must include examination of how states report presidential election results and whether states report the results using vote percentages or vote totals. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-eighth legislative assembly.

SECTION 3. DIRECTIVE TO SECRETARY OF STATE. The secretary of state shall forward a copy of the enrolled version of this bill to the president of the United States Senate, the speaker of the United States House of Representatives, and each member of the North Dakota congressional delegation.

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-seventh Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2271.

Senate Vote: Yeas 39 Nays 8 Absent 0

House Vote: Yeas 80 Nays 12 Absent 2

Secretary of the Senate

Received by the Governor at _____ M. on _____, 2021.

Approved at _____ M. on _____, 2021.

Governor

Filed in this office this _____ day of _____, 2021,

at _____ o'clock _____ M.

Secretary of State