

Introduced by

Representative Mock

1 A BILL for an Act to amend sections 16.1-11-30 and 16.1-11-36 of the North Dakota Century
2 Code, relating to primary elections.

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

4 **SECTION 1. AMENDMENT.** Section 16.1-11-30 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **16.1-11-30. Separate section on primary election ballot required for each political**
7 **party.**

8 Any party that had printed on the ballot at the last preceding presidential election the names
9 of a set of presidential electors pledged to the election of the party's candidates for president
10 and vice president or a candidate for governor and those candidates for presidential electors or
11 governor received at least five percent of the total vote cast for presidential electors or the office
12 of governor within this state at that election; any party that had printed on the ballot at the last
13 preceding nonpresidential election a candidate for attorney general or secretary of state, and
14 the candidate received at least five percent of the total vote cast for the office the candidate was
15 seeking at the election; or any party that has organized according to all the requirements of
16 chapter 16.1-03 must be provided with a separate section on primary election ballots.

17 Any other political organization is entitled to endorse candidates or have candidates petition
18 to be included on the primary ballot in a separate section of the consolidated primary election
19 ballot, if a petition signed by a number of qualified electors equal to at least ~~seven thousand~~
20 ~~qualified electors~~ one percent of the total resident population of this state as determined by the
21 most recent federal decennial census is filed with the secretary of state before four p.m. of the
22 sixty-fourth day before a primary or special election, naming the political organization, stating
23 the platform principles of the party, and requesting the names of its candidates to be included
24 on the state's primary ballot in a separate section. Political organizations that are granted ballot

1 access under this section are allowed ballot access only for those offices for which the
2 organization has identified candidates. Regardless of the means by which the petition is
3 delivered, the original must be in the possession of the secretary of state before four p.m. on
4 the sixty-fourth day prior to a primary or special election. Candidates of that party are entitled to
5 the same rights and privileges as those of other parties. Petitions circulated according to this
6 section must be filed with the secretary of state in accordance with section 1-01-50.

7 A political organization that had printed on the ballot at the last preceding presidential
8 election the names of a set of presidential electors pledged to the election of the party's
9 candidates for president and vice president or a candidate for governor and those candidates
10 for presidential electors or governor received at least five percent of the total vote cast for
11 presidential electors or the office of governor within this state at that election, and any political
12 organization that has printed on the ballot at the last preceding nonpresidential election a
13 candidate for attorney general or secretary of state, and the candidate received at least five
14 percent of the total vote cast for the office the candidate was seeking at the election are entitled
15 to organize according to the requirements of chapter 16.1-03.

16 **SECTION 2. AMENDMENT.** Section 16.1-11-36 of the North Dakota Century Code is
17 amended and reenacted as follows:

18 **16.1-11-36. ~~Vote required~~Nomination at primary election for nomination.**

19 ~~A person may not be deemed nominated as a candidate for any office at any primary~~
20 ~~election unless that person receives a number of votes equal to the number of signatures~~
21 ~~required, or which would have been required had the person not had the person's name placed~~
22 ~~on the ballot through a certificate of endorsement, on a petition to have a candidate's name for~~
23 ~~that office placed on the primary ballot~~The number of individuals to be nominated as candidates
24 for a party office by a party having a separate column on the primary election ballot must be that
25 number of individuals who receive the highest number of votes and who total the number of
26 available positions for the office if that many individuals are candidates for nomination by that
27 party.