

HOUSE BILL NO. 1317

Introduced by

Representatives Kasper, Hoverson, Koppelman, Louser, Motschenbacher, Rohr, D. Ruby,
Steiner

Senators Clemens, Hogue, Myrdal, Vedaa

1 A BILL for an Act to amend and reenact subsection 1 of section 16.1-01-01, section 16.1-01-07,
2 subsection 5 of section 16.1-05-04, section 16.1-06-03, subdivision a of subsection 1 of section
3 16.1-06-04, and sections 16.1-06-08, 16.1-06-11, 16.1-06-12, 16.1-06-14, 16.1-06-15,
4 16.1-06-20, 16.1-06-25, 16.1-06-26, 16.1-11-24, 16.1-11-27, 16.1-11-35, 16.1-13-25,
5 16.1-13-29, 16.1-15-02, 16.1-15-04, 16.1-15-09, 16.1-15-10, and 40-21-09 of the North Dakota
6 Century Code, relating to electronic voting devices and electronic voting systems; and to repeal
7 section 16.1-06-17 of the North Dakota Century Code, relating to ballots and voting system
8 supplies.

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

10 **SECTION 1. AMENDMENT.** Subsection 1 of section 16.1-01-01 of the North Dakota
11 Century Code is amended and reenacted as follows:

12 1. The secretary of state is, ex officio, supervisor of elections and may employ additional
13 personnel to administer this title. The secretary of state shall supervise the conduct of
14 elections and in that supervisory capacity has, in addition to other powers conferred by
15 law, the power to examine upon the secretary of state's request or the request of any
16 election official, any election ballot or other material, ~~voting or tabulating~~ system
17 authorized by chapter 16.1-06, ~~or device used in connection with any election,~~ for the
18 purpose of determining sufficient compliance with the law and established criteria and
19 standards adopted by the secretary of state according to section 16.1-06-26. The
20 secretary of state, upon determining any ballot or other material, ~~voting~~tabulating
21 system, or device is not in sufficient compliance with the law or established criteria and
22 standards, shall direct the proper changes to be made, and in the case of

1 ~~voting~~tabulating systems, may decertify the ~~voting~~tabulating systems according to the
2 rules adopted under section 16.1-06-26.

3 **SECTION 2. AMENDMENT.** Section 16.1-01-07 of the North Dakota Century Code is
4 amended and reenacted as follows:

5 **16.1-01-07. Constitutional amendments and other questions to be advertised -**
6 **Notification by secretary of state - Manner of publishing.**

7 1. If a proposed constitutional amendment or other question is to be submitted to the
8 people of the state for popular vote, the secretary of state shall certify the amendment
9 or other question to each county auditor not less than fifty-five days before the
10 election, and each auditor shall cause notice of the question to be included in the
11 notice required by section 16.1-13-05. Questions to be submitted to the people of a
12 particular county must be advertised in the same manner.

13 2. At the same time the secretary of state certifies notice to the county auditors of the
14 submission of a constitutional amendment or other question, the secretary of state
15 shall certify the ballot form for the questions. The ballot form must conform to the
16 provisions of section 16.1-06-09 and must be used by all county auditors to prepare
17 ballots for submission to the electorate of each county and to prepare sample ballots.
18 The publication of ~~either the paper ballot or the ballot as it will appear to individuals~~
19 ~~using a voting system device, whichever corresponds to the method of voting used in~~
20 ~~the area involved, will satisfy~~satisfies any requirement in this title for a sample ballot to
21 be published. For two consecutive weeks before the sample ballot is published, an
22 analysis of any constitutional amendment, initiated measure, or referred measure,
23 written by the secretary of state after consultation with the attorney general, must be
24 published in columns to enable the electors to become familiar with the effect of the
25 proposed constitutional amendment or initiated or referred measure.

26 **SECTION 3. AMENDMENT.** Subsection 5 of section 16.1-05-04 of the North Dakota
27 Century Code is amended and reenacted as follows:

28 5. All members of the election board shall distribute ballots and other election materials
29 to electors. An election judge from each party represented on the election board shall
30 give any assistance requested by electors in marking paper ballots ~~or operating~~
31 ~~electronic voting system devices.~~

1 **SECTION 4. AMENDMENT.** Section 16.1-06-03 of the North Dakota Century Code is
2 amended and reenacted as follows:

3 **16.1-06-03. Official ballots only to be used.**

4 The official ballot prepared by the county auditor or the local auditor or clerk must contain
5 the name of each candidate whose name has been certified to or filed with such auditor or clerk
6 in the manner provided in this title. Ballots other than official ballots prepared by the county
7 auditor or local auditor or clerk may not be cast or counted in any election governed by this title.
8 ~~The list of officers and candidates and the statements of measures and questions to be~~
9 ~~submitted to the voters must be deemed an official ballot in precincts in which electronic voting~~
10 ~~systems are used.~~

11 **SECTION 5. AMENDMENT.** Subdivision a of subsection 1 of section 16.1-06-04 of the
12 North Dakota Century Code is amended and reenacted as follows:

- 13 a. Be printed on uniform quality and color of paper in an ink color suitable to make
14 the ballot clearly legible and compatible with the ~~voting~~tabulating system
15 requirements necessary to tabulate the votes.

16 **SECTION 6. AMENDMENT.** Section 16.1-06-08 of the North Dakota Century Code is
17 amended and reenacted as follows:

18 **16.1-06-08. No-party ballot at general elections - Contents - Delivered to elector.**

19 There must be a separate no-party ballot at the general election upon which must be placed
20 the names of all candidates who have been nominated on the no-party primary ballot at the
21 primary election. Such ballots must be in the same form as the no-party primary ballot and must
22 be delivered to each elector by the proper election official. The separate ballot may be on the
23 same paper ~~or electronic ballot~~, but the list of offices and candidates must be entitled "no-party
24 ballot" in a manner to clearly indicate the separation of the no-party list of offices and
25 candidates from the party list of offices and candidates.

26 **SECTION 7. AMENDMENT.** Section 16.1-06-11 of the North Dakota Century Code is
27 amended and reenacted as follows:

28 **16.1-06-11. Voting Tabulating systems authorized.**

29 ~~Voting Tabulating~~ systems may be used in accordance with this chapter. ~~Voting Tabulating~~
30 systems may be procured, ~~provided if~~ the systems being procured have been approved and
31 certified for procurement and use in the state by the secretary of state according to section

1 16.1-06-26. The system then may be used in any state, county, city, or district election in that
2 precinct or other voting area of which that precinct is a part.

3 **SECTION 8. AMENDMENT.** Section 16.1-06-12 of the North Dakota Century Code is
4 amended and reenacted as follows:

5 **16.1-06-12. Definitions.**

6 As used in this title with regard to ~~voting~~tabulating systems:

- 7 1. "Ballot" means a paper ballot from which the votes for candidates and questions are
8 tabulated by hand or by a ~~voting~~tabulating system. The term includes the digital image
9 of a marked ballot captured by a ~~voting~~tabulating system.
- 10 2. "Ballot marking device" means a device for marking ballots with ink or other
11 substance, ~~or any other method for recording votes~~ on ballots such that the votes may
12 be tabulated and counted by tabulation.
- 13 3. "Counting center" means a location designated by the county auditor for the counting
14 of ballots and tabulation of votes from the ballots.
- 15 4. "Digital scan" means a procedure in which votes cast on a paper ballot are tabulated
16 by examining marks made in voting response locations on the ballot and an image of
17 the ballot is captured and retained.
- 18 5. ~~"Voting system"~~"Tabulating system" means the system and devices authorized under
19 this chapter which may employ a ~~ballot marking device with use of a touchscreen or~~
20 ~~other data entry device to record and count votes~~tabulate paper ballots in an election.

21 **SECTION 9. AMENDMENT.** Section 16.1-06-14 of the North Dakota Century Code is
22 amended and reenacted as follows:

23 **16.1-06-14. Requirements for ~~voting~~ballots and tabulating systems.**

24 Any ~~voting~~location using paper ballots and a tabulating system used in an election in this
25 state must:

- 26 1. Provide facilities for voting for nominated candidates, for persons not in nomination,
27 and upon questions or measures submitted to the voters.
- 28 2. ~~Permit each voter to vote for as many persons for any office as the voter is entitled to~~
29 ~~vote for, and must allow each voter to vote in primary elections for candidates for~~
30 ~~nomination by the political party of the voter's choice, but the system must preclude~~
31 ~~each voter from voting for more persons for any office than the voter is entitled to vote~~

1 for, from voting more than once for the same candidate or upon the same measure or
2 question submitted to the voters, or voting the ballot of more than one political party in
3 any primary election.

4 3. Permit each voter, insofar as is possible, by the replacement of spoiled ballots, to
5 change the voter's vote for any candidate, or upon any measure or question submitted
6 to the voters, up to the time the voter begins the final operation to register the voter's
7 vote until the voter's vote is officially placed into a tabulating system.

8 4.3. Permit and require secrecy while voting, and be constructed and controlled so no
9 other individual can see or know for whom an elector has voted or is voting, except an
10 individual assisting in marking the ballot at the request of the elector as prescribed by
11 law, and no individual is able to see or know the number of votes registered for any
12 candidate while the polls are open.

13 5.4. Be provided with a procedure by the use of which, immediately after the polls are
14 closed, all voting is prevented.

15 6.5. Be so constructed that when properly operated the system ~~shall~~must register or record
16 correctly and accurately every vote cast.

17 7.6. Be so constructed that a voter may readily learn the method of operating the system.

18 8.7. Permit voting only by paper ballot ~~or by entering directly into a computer or other~~
19 ~~electronic device by means of a touchscreen or other data entry device.~~

20 9.8. Permit voting for presidential electors by making only one mark.

21 10.9. Permit write-in voting and absentee voting.

22 11.10. Permit the rotation of names of candidates on ballots as required by this title.

23 12.11. Fulfill the criteria and standards established by the secretary of state according to
24 section 16.1-06-26.

25 12. Provide to a qualified elector an electronic ballot by electronic means if the elector is
26 living with a disability that prevents the elector from reading or marking the paper
27 ballot without assistance. The secretary of state shall adopt rules to address
28 alternative voting methods for individuals with a disability.

29 **SECTION 10. AMENDMENT.** Section 16.1-06-15 of the North Dakota Century Code is
30 amended and reenacted as follows:

1 **16.1-06-15. Mandatory testing of ~~electronic voting~~tabulating systems before each**
2 **election and after tabulation of ballots.**

- 3 1. All ~~electronic voting~~tabulating systems used in this state must be tested according to
4 guidelines established by the secretary of state and as follows to ascertain whether
5 the ~~automatic~~ tabulating system equipment will accurately count the votes cast for all
6 offices and measures. The testing must be conducted ~~prior to~~before each election at
7 which the system will be used. The testing must be done by the county auditor or
8 county auditor's designee, and after each test, the testing materials and any
9 preaudited ballots used during the test must be sealed and retained in the same
10 manner as election materials after an election.
- 11 2. The test of an ~~electronic voting~~a tabulating system employing paper ballots must be
12 conducted by processing a preaudited group of ballots on which are recorded a
13 predetermined number of valid votes for each candidate and measure and must
14 include for each office one or more ballots which have votes in excess of the number
15 allowed by law in order to test the ability of the ~~automatic~~ tabulating system equipment
16 to reject such votes. During the test a different number of valid votes must be assigned
17 to each candidate for an office and for and against each measure. If an error is
18 detected, the cause of it must be ascertained and corrected, and an errorless count
19 must be secured and filed as provided in this section.
- 20 3. The test must be conducted at least one week before the election. One week before
21 the test is conducted, the county auditor must send the district chairman of each
22 political party having a candidate on the ballot a notice of the test. The notice must
23 state the time, place, and date of the test or tests and that the district chairman or
24 district chairman's designee may attend.
- 25 4. ~~At the conclusion of the test, the programming for each electronic voting device must~~
26 ~~be sealed within the device with a unique numbered seal that must be verified by the~~
27 ~~election inspector before the opening of the polls to make sure the programming has~~
28 ~~not been removed from the device.~~
- 29 5. After each election, the secretary of state shall order a random testing of the
30 votingtabulating system programming for one precinct in each county of the state
31 according to logic and accuracy testing procedures detailed in subsection 2 and as

1 may be further defined by the secretary of state in writing. This test is to be conducted
2 before the meeting of the county canvassing board.

3 **SECTION 11. AMENDMENT.** Section 16.1-06-20 of the North Dakota Century Code is
4 amended and reenacted as follows:

5 **16.1-06-20. Election inspector and judges to display material and provide instruction.**

6 In addition to other duties provided by law, the election inspector and judges shall provide
7 adequate instruction on the use marking of the ~~electronic voting device~~ a paper ballot to each
8 voter before the voter enters the voting booth.

9 **SECTION 12. AMENDMENT.** Section 16.1-06-25 of the North Dakota Century Code is
10 amended and reenacted as follows:

11 **16.1-06-25. ~~Voting~~Tabulating systems - Violations - Penalty.**

12 Any person ~~who~~that violates any of the ~~provisions~~provision of this chapter relating to
13 ~~voting~~tabulating systems, ~~who~~ tampers with or injures any ~~voting~~tabulating system ~~or device~~ to
14 be used or being used in any election, or ~~who~~ prevents the correct operation of any such
15 system ~~or device~~ to be used or being used in any election is guilty of a class C felony.

16 **SECTION 13. AMENDMENT.** Section 16.1-06-26 of the North Dakota Century Code is
17 amended and reenacted as follows:

18 **16.1-06-26. Secretary of state to adopt rules for the purpose of certifying and**
19 **decertifying ~~voting~~tabulating systems.**

20 1. The secretary of state may adopt rules according to subsection 3 of section
21 16.1-01-01 for certifying and decertifying ~~voting~~tabulating systems authorized in
22 section 16.1-06-11, including any software, hardware, and firmware components used
23 as a part of a ~~voting~~tabulating system ~~device~~ for use and procurement in the state.

24 The rules may:

- 25 a. Establish criteria and standards with which all ~~voting~~tabulating systems must
26 comply.
- 27 b. Describe the procedures for ~~voting~~tabulating systems, ~~any single device of a~~
28 ~~voting system~~, and any update and enhancement made to ~~them~~the system, to be
29 certified and decertified for procurement and use in the state.
- 30 c. ~~Define what constitutes a vote on each voting system which has been certified for~~
31 ~~procurement in the state.~~

1 d. Describe the procedures for the secretary of state to follow when defining what
2 constitutes a vote on any new voting system, any single device of a voting
3 system, and any update and enhancement made to them.

4 2. A ~~votingtabulating system, a single device of a voting system,~~ and an update and
5 enhancement made to ~~them, in use by a county before August 1, 2003,~~the system
6 must be reviewed by the secretary of state according to rules adopted under this
7 section ~~by April 1, 2004,~~ and must meet the requirements of the rules, or must be
8 replaced by another ~~votingtabulating system, a single device of a voting system,~~ and
9 an update and enhancement made to ~~them~~the system, meeting the requirements of
10 the rules ~~by January 1, 2006.~~

11 **SECTION 14. AMENDMENT.** Section 16.1-11-24 of the North Dakota Century Code is
12 amended and reenacted as follows:

13 **16.1-11-24. No-party primary ballot - Contents.**

14 There must be a separate ballot at all primary elections which must be entitled "no-party
15 primary ballot". The names of aspirants for nomination to each office must be arranged on the
16 no-party primary ballot in separate groups in their order. The separate ballot may be on the
17 same paper ~~or electronic~~ ballot, but the list of offices and candidates must be entitled "no-party
18 primary ballot" in a manner to indicate clearly the separation of the no-party list of offices and
19 candidates from the party list of offices and candidates. The names of all candidates for any of
20 the offices mentioned in section 16.1-11-08 must be placed on the ballot without party
21 designation. Immediately under the name of each office must be placed the language: "Vote for
22 no more than _____ name (or names)." The number inserted must be the number to be
23 elected to the office at the next succeeding general election.

24 **SECTION 15. AMENDMENT.** Section 16.1-11-27 of the North Dakota Century Code is
25 amended and reenacted as follows:

26 **16.1-11-27. Arrangement of names on ballots.**

27 1. Sample ballots used for publication purposes must be arranged using the rotation of
28 the ballot in the precinct in the county which cast the highest total vote for governor at
29 the last general election at which the office of governor was filled. In the event ~~that~~ this
30 determination is no longer possible due to changes in precinct boundaries, the
31 precincts are to be ordered according to the precincts with the greatest voting age

1 population to the least. This information is to be provided by the North Dakota state
2 data center or based on the best available data as determined by the county auditor.
3 On the official ballot used at the election, ~~including electronic voting system ballots,~~ the
4 names of candidates beside or under headings designating each office to be voted for
5 must be alternated in the following manner:

- 6 4. a. The ballot must first be arranged with all the names for each office on the ballot in
7 an order determined by lot by the county auditor and prepared by the county
8 auditor for all state, district, and county offices. The position of names that require
9 alternating under the provisions of this section must be alternated by an algorithm
10 approved by the secretary of state designed to ensure to the extent possible that
11 each name on the ballot for an office is listed in each position order on an equal
12 number of precinct ballots spread across the county. There must be a different
13 alternation sequence for each of the following, based on the geographical area
14 by which the office is filled:

15 a.(1) Offices to be filled by the electors of the state, the entire county, or any
16 district which includes the entire county.

17 b.(2) Offices to be filled by the electors of districts smaller than the county, with a
18 different rotation for each of those districts.

- 19 2. Although the names are to be alternated within the offices on the ballot, the name
20 order for an office is to be the same for all ballots within a precinct.

21 **SECTION 16. AMENDMENT.** Section 16.1-11-35 of the North Dakota Century Code is
22 amended and reenacted as follows:

23 **16.1-11-35. Nominations by write-in.**

24 This title does not prevent any elector from writing on the paper ballot ~~or entering by~~
25 ~~touchscreen or other data entry device,~~ the name of any individual for whom the elector desires
26 to vote, and the vote must be counted according to the provisions for the counting of write-in
27 votes found in section 16.1-15-01.1.

28 **SECTION 17. AMENDMENT.** Section 16.1-13-25 of the North Dakota Century Code is
29 amended and reenacted as follows:

1 **16.1-13-25. Elector may write name on ballot - Counting.**

2 The provisions of this title do not prevent any elector from writing on the paper ballot or
3 ~~entering by touchscreen or other data entry device~~, the name of any individual for whom the
4 elector desires to vote, and the vote must be counted according to the provisions for the
5 counting of write-in votes found in section 16.1-15-01.1.

6 **SECTION 18. AMENDMENT.** Section 16.1-13-29 of the North Dakota Century Code is
7 amended and reenacted as follows:

8 **16.1-13-29. Election booths or compartments - Number required - Expense.**

9 The inspector of elections shall provide a sufficient number of voting booths or
10 compartments in the inspector's polling place, which must be designed to enable the elector to
11 mark, ~~or in the case of ballot marking devices, enter by touchscreen or other data entry device,~~
12 the elector's ballot screened from observation. The number of booths or compartments in
13 precincts may not be less than one for each one hundred fifty electors or fraction of
14 one hundred fifty electors in the precincts served by the polling place. The expense of providing
15 the booths or compartments must be paid in the same manner as other election expenses. At
16 least one certified tabulation device ~~and ballot marking device~~ must be provided in each polling
17 place.

18 **SECTION 19. AMENDMENT.** Section 16.1-15-02 of the North Dakota Century Code is
19 amended and reenacted as follows:

20 **16.1-15-02. Board of election to generate canvass reports - Location - Public may**
21 **attend.**

22 After the polls are closed, the inspector of elections and the judges immediately shall
23 generate the canvass report from the ~~electronic voting~~tabulating system. The ballots counted by
24 the machine must be equal in number with the names on the poll clerks' lists. If the numbers are
25 not equal, the pollbooks are to be rechecked to find the discrepancy. The canvass must
26 continue without adjournment until completed and must be open to the public. Ballots may not
27 be removed to another location before the canvass report is generated after the ballot boxes
28 have been opened. Except in unusual and compelling circumstances, the canvass shall occur
29 at the polling place. If good and substantial reasons exist for the removal of the ballots and
30 election records to another location for canvass, the removal must be approved by the election
31 board. Upon approval of a change of location by the election board as provided in this section,

1 the approximate time and location of the canvass must be prominently posted on the main
2 entrance to the polling place, the ballots and records must be moved in the presence of the
3 election board, and the canvass as provided in this chapter must proceed immediately upon
4 arrival at the alternate location.

5 **SECTION 20. AMENDMENT.** Section 16.1-15-04 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **16.1-15-04. Canvass report prepared by election board for county auditor.**

- 8 1. The election board shall generate at least one canvass report from the ~~electronic-~~
9 ~~voting~~tabulating system. The ballots may not be sealed, nor may the canvass report
10 be signed, by the election board or poll clerk until the counts in the poll clerks' books
11 and in the canvass report shows the same totals for ballots cast.
- 12 2. In the case of the absentee ballot precinct as authorized in section 16.1-07-12.1, early
13 voting precincts as authorized in section 16.1-07-15, and mail ballot precinct as
14 authorized in section 16.1-11.1-06, if the work of the election board is completed prior
15 to close of the polls on election day, the election board shall create and sign a
16 statement consisting of a reconciliation of the number of voters recorded in the
17 pollbook and the number of ballots processed through the tabulators. The
18 ~~voting~~tabulating system must be secured in a manner prescribed by the county auditor
19 that will protect the system and ballots from tampering. Prior to generating the canvass
20 report from one of these three types of precincts, an election judge representing each
21 political party, or two election judges in the case of an election that does not include a
22 political party contest, shall verify that the system and ballots remain secure and the
23 statement created by the election board is still accurate.

24 **SECTION 21. AMENDMENT.** Section 16.1-15-09 of the North Dakota Century Code is
25 amended and reenacted as follows:

26 **16.1-15-09. ~~Voting~~Tabulating systems - Returns.**

- 27 1. Election officers shall generate reports of votes cast and counted by ~~voting~~tabulating
28 systems for all candidates and for any measures or questions as provided by law or
29 rule.
- 30 2. Within the ability of a tabulation device to accurately do so, all votes must be counted
31 by the machine. After the election results have been accumulated centrally in the

1 county auditor's office, if the number or percentage of write-in votes for an office meet
2 the criteria in section 16.1-15-01.1, the county canvassing board shall review and
3 approve the canvass of the votes for the write-in names for that office conducted by
4 the county auditor's office to determine final election results.

5 3. The county auditor shall designate the public places where absentee and mail ballots
6 must be delivered and counted in the presence of the election inspector and at least
7 two election judges.

8 4. Each ~~voting~~tabulating system must generate a printed record at the beginning of the
9 system's operation which verifies the tabulating elements for each candidate position
10 and each question and the public counter are all set at zero. The ~~voting~~tabulating
11 system also must be equipped with an element that generates, at the end of the
12 system's operation, a printed record of the total number of voters whose ballots have
13 been tabulated, the total number of votes cast for each candidate on the ballot, and
14 the total number of votes cast for or against any measure appearing on the ballot. The
15 election inspector and election judges shall certify both printed records.

16 5. If any ballot is damaged or defective so the ballot cannot be counted properly by the
17 ~~voting~~tabulating system, a true duplicate copy must be made by election officials of
18 opposed interests and substituted for the damaged or defective ballot. All duplicate
19 ballots must be labeled duplicate clearly, must bear a serial number that must be
20 recorded on the damaged or defective ballot, and must be wrapped and delivered with
21 other ballots to the county recorder.

22 **SECTION 22. AMENDMENT.** Section 16.1-15-10 of the North Dakota Century Code is
23 amended and reenacted as follows:

24 **16.1-15-10. Failure of ~~voting~~tabulating system - Counting by alternate method.**

25 If the ~~voting~~tabulating system fails to operate during the ballot count at any election, the
26 ballots must be counted by an alternate method.

27 **SECTION 23. AMENDMENT.** Section 40-21-09 of the North Dakota Century Code is
28 amended and reenacted as follows:

1 **40-21-09. Election districts in council cities - Division and consolidation by ordinance**
2 **- Ballots to be kept separate by wards.**

3 Each city operating under the council form of government in which council members are
4 elected at large constitutes an election district or voting precinct, and in all other cities each
5 ward constitutes an election district or voting precinct. Whenever the number of electors in any
6 two or more contiguous wards does not exceed one hundred as determined by the number of
7 votes cast at the last city election, the council, by ordinance, may consolidate those two or more
8 wards into one precinct for voting purposes. In any city containing less than four hundred
9 electors as determined by the number of votes cast at the last city election, the council, by
10 ordinance, may consolidate all the wards of the city into one precinct for voting purposes. An
11 ordinance dividing or consolidating wards must be passed and takes effect before the time of
12 giving notice of the election. Wards and precincts established under this section constitute
13 election districts for all state, county, and city elections. In city elections, separate ballot boxes
14 and pollbooks must be provided and kept for each precinct. The terms "wards", "precincts", and
15 "election districts" have the same meaning except where two or more wards are consolidated
16 into one precinct for voting purposes or where one ward is divided into more than one precinct
17 for voting purposes. This section does not prohibit the use of one building as the election polling
18 place for more than one ward or the installation of ~~electronic voting~~tabulating systems from
19 separate wards in one building.

20 **SECTION 24. REPEAL.** Section 16.1-06-17 of the North Dakota Century Code is repealed.