

**HOUSE BILL NO. 1324**

Introduced by

Representatives Kasper, Koppelman, Louser, Rohr, D. Ruby, Steiner, Vetter, Vigesaa

Senator Vedaa

1 A BILL for an Act to amend and reenact section 16.1-01-10 of the North Dakota Century Code,  
2 relating to sufficiency of petitions as determined by the secretary of state.

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

4 **SECTION 1. AMENDMENT.** Section 16.1-01-10 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **16.1-01-10. Secretary of state to pass upon sufficiency of petitions - Method - Time**  
7 **limit.**

8 The secretary of state shall have a reasonable period, not to exceed thirty-five days, in  
9 which to pass upon the sufficiency of any petition mentioned in section 16.1-01-09. The  
10 secretary of state shall conduct a representative random sampling of the signatures contained  
11 in the petitions by the use of questionnaires, postcards, telephone calls, personal interviews, or  
12 other accepted information-gathering techniques, or any combinations thereof, to determine the  
13 validity of the signatures. Signatures determined by the secretary of state to be invalid may not  
14 be counted and ~~and~~ if the number of valid signatures received is less than the required number of  
15 signatures to place the measure on the ballot, the secretary of state may not allow the measure  
16 to be placed on the ballot. When the secretary of state does not approve the measure to be  
17 placed on the ballot due to an insufficient petition, the action is presumed to be lawful, unless  
18 the presumption is rebutted by a preponderance of the evidence that the action of the secretary  
19 of state was unlawful. All violations of law discovered by the secretary of state must be reported  
20 to the attorney general for prosecution.