

**SENATE BILL NO. 2163**

Introduced by

Senators Dever, Magrum

Representatives Dobervich, Karls, Klemin, Meier

1 A BILL for an Act to amend and reenact section 16.1-06-09 of the North Dakota Century Code,  
2 relating to language on voting ballots.

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

4 **SECTION 1. AMENDMENT.** Section 16.1-06-09 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **16.1-06-09. Constitutional amendments and initiated and referred measures - Manner**  
7 **of stating question - Fiscal impact statement - Explanation of effect of vote - Order of**  
8 **listing.**

9 1. Constitutional amendments or measures, initiated measures, and referred measures,  
10 duly certified to the county auditor by the secretary of state, or any other question or  
11 measure to be voted on, except the election of public officers at any primary, general,  
12 or special election including officers subject to a recall petition, must, unless otherwise  
13 determined by the secretary of state, be stated in full in a legible manner on the ballot.  
14 If the secretary of state concludes the amendment or measure is too long to make it  
15 practicable to print in full, the secretary of state in consultation with the attorney  
16 general shall cause to be printed a concise summary that written in plain, clear,  
17 understandable language using words with common, everyday meaning which must  
18 fairly represent the substance of the constitutional amendment or initiated or referred  
19 measure. After the foregoing statement, the secretary of state shall cause to be printed  
20 a statement of the estimated fiscal impact of the constitutional amendment or initiated  
21 or referred measure and a concise statement of the effect of an affirmative or negative  
22 vote on the constitutional amendment or initiated or referred measure written in plain,  
23 clear, understandable language using words with common, everyday meaning. This  
24 explanatory statement must be drafted by the secretary of state in consultation with

1           the attorney general. The words "Yes" and "No" must be printed on the ballot at the  
2           close of the statement regarding the effect of an affirmative or negative vote, in  
3           separate lines with an oval before each statement in which the voter is to indicate how  
4           the voter desires to vote on the question by darkening the oval. If two or more  
5           amendments or questions are to be voted on, they must be printed on the same ballot.  
6        2. The measures to be submitted to the electors must be grouped and classified as  
7           constitutional measures, initiated statutes, or referred statutes and must be placed  
8           within such groups or classifications by the secretary of state in the order received, for  
9           the purpose of placing them on the ballot. Measures submitted by the legislative  
10          assembly must be placed first on the ballot within their classification in the order  
11          approved by the legislative assembly. Constitutional measures shall be placed first on  
12          the ballot, initiated statutes second, and referred statutes third. After all the measures  
13          have been placed within the appropriate group or classification, all measures must be  
14          numbered consecutively, without regard to the various groups or classifications.