13.0369.01000

Sixty-third
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1245

Introduced by

Representatives Kretschmar, Brandenburg, Maragos

1 A BILL for an Act to amend and reenact subsections 1 and 2 of section 16.1-16-01 of the North

2 Dakota Century Code, relating to election recounts.

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

4   **SECTION 1. AMENDMENT.** Subsection 1 of section 16.1-16-01 of the North Dakota

5 Century Code is amended and reenacted as follows:

6   1.   A recount must be conducted when:

7   a.   Any individual failed to be nominated in a primary election by one percent or less

8   of the ~~highest vote~~total number of votes cast for ~~a~~the nominated candidate for the

9   office ~~sought~~who had the fewest number of votes.

10   b.   Any individual failed to be elected in a general or special election by one-half of

11   one percent or less of the ~~highest vote~~total number of votes cast for ~~a~~the elected

12   candidate for that office who had the fewest number of votes.

13   c.   A question, measure, or bond issue submitted to the qualified electors has been

14   decided by a margin not exceeding one-fourth of one percent of the total vote

15   cast for and against the question at any election.

16   **SECTION 2. AMENDMENT.** Subsection 2 of section 16.1-16-01 of the North Dakota

17 Century Code is amended and reenacted as follows:

18   2.   A demand for a recount may be made by any of the following:

19   a.   Any individual who failed to be nominated in a primary election by more than one

20   percent and less than two percent of the ~~highest vote~~total number of votes cast

21   for ~~a~~the nominated candidate for the office ~~sought~~who had the fewest number of

22   votes.

23   b.   Any individual who failed to be elected in a general or special election by more

24   than one-half of one percent and less than two percent of the ~~highest vote~~total

1   number of votes cast for ~~a~~the elected candidate for that office who had the fewest

2   number of votes.