

**HOUSE BILL NO. 1161**

Introduced by

Representatives D. Ruby, Bellew, Kasper, Louser, Marschall, Schatz

Senators Burckhard, Hogue, Rust, Vedaa

1 A BILL for an Act to amend and reenact section 16.1-01-03 of the North Dakota Century Code,  
2 relating to closing time for polling places.

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

4 **SECTION 1. AMENDMENT.** Section 16.1-01-03 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **16.1-01-03. Opening and closing of the polls.**

7 The polls at all primary, general, and special elections must be opened at nine a.m. or  
8 earlier, but not earlier than seven a.m., as designated for any precinct by resolution of the  
9 governing body of the city or county in which the precinct is located. The polls must remain  
10 open continuously until seven p.m. or such later hour, not later than nine p.m., as may be  
11 designated for a precinct by resolution of the governing body of the city or county in which the  
12 precinct is located. All electors standing in line to vote at the time the polls are set to close must  
13 be allowed to vote, but electors arriving after closing time may not be allowed to vote. All ballots  
14 must be marked and cast thirty minutes after the last elector at the polling place who is allowed  
15 to vote receives a ballot. The election officers present are responsible for determining who  
16 arrived in time to vote, and the election officers shall establish appropriate procedures for  
17 making that determination. All determinations required to be made pursuant to this section  
18 relating to polling hours must be made, and the county auditor notified of them, no later than  
19 thirty days prior to an election.