

NORTH DAKOTA INITIATING & REFERRING LAW

PETITION PROCESSES



NORTH DAKOTA
SECRETARY OF STATE

2025-2027

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FOREWORD

This guide is intended to provide comprehensive instructions and procedures for the initiated measures process in North Dakota..

CONTACT

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DISCLAIMER

The following excerpts of North Dakota law are from the North Dakota Century Code (NDCC) and pertain to elections, election procedures, and the recall process. Although every attempt has been made for accuracy, the reprint of these laws does not carry the same authority as the actual NDCC and should not be equated with the official NDCC. This compilation is only intended as a helpful resource and reference for consolidated election related laws. For official and legal purposes, the official NDCC should be used.

In addition, the following excerpts of North Dakota law do not contain the material found in the legal notes following the various sections contained in the NDCC. These notes found in the NDCC may contain temporary provisions and effective dates along with valuable summaries of applicable court rulings.

INTRODUCTION

Article III of the North Dakota Constitution guarantees the right of the people to initiate or refer laws by petition. [NDCC § 16.1-01-09](#) establishes the petition format that is used, along with other NDCC statutes related to process. This reference is designed to acquaint you with the laws and procedures associated with the petition process.

TERMINOLOGY

PETITION

This is the document used to bring forward a proposed change to the state's Constitution or law (North Dakota Century Code). It is the tool used to gather signatures in support of the proposed changes. The Secretary of State approves the format of the petition prior to circulation. Once signatures have been gathered, the petition must be submitted to the Secretary of State for review. Petitions can be used for any of the following types of law changes:

- **CONSTITUTIONAL INITIATIVE:** Brought by the citizens of North Dakota to amend the state's Constitution. Citizens must follow a [petition process](#) and receive signatures equal to 4% of the state's population as reported by the last decennial census. Each initiative has a deadline of one year after it was approved to circulate. Completed petitions must be submitted at least 120 days prior to an election to be placed on the ballot.
- **STATUTORY INITIATIVE:** Brought by the citizens of North Dakota to create or amend a statute. Citizens must follow a [petition process](#) and receive signatures equal to 2% of the state's population as reported by the last decennial census. Each initiative has a deadline of one year after it was approved to circulate. Completed petitions must be submitted at least 120 days prior to an election to be placed on the ballot.
- **REFERENDUM:** Brought by the citizens of North Dakota to reject legislation recently passed by the North Dakota Legislature. Sponsoring citizens must follow a [petition process](#) and gather signatures from qualified electors equal to 2% of the state's population as reported by the last decennial census.
 - Referendum petitions must be filed with the Office of the Secretary of State within 90 days of the legislation's filing with the Office of the Secretary of State. If the referendum measure meets the requirements to appear on the ballot, in most cases, the legislation's effective date is suspended until the next election when the measure can be voted on.

MEASURE

After a petition to initiate or refer a law has met the needed signature requirements and has qualified for placement on the ballot after review by the Office of the Secretary of State, it is then referred to as a **measure**.



The terms **petition** and **measure** are often used interchangeably by people. You will hear terms like initiated measure and initiated petition or referral petition and referred measure.

GETTING STARTED

REVIEW THE LAWS – NORTH DAKOTA CONSTITUTION AND THE NORTH DAKOTA CENTURY CODE (NDCC)

You will find it helpful to familiarize yourself with the main sections of law that apply to initiative and referendum petitions. [Article III, sections one through nine, of the North Dakota Constitution](#), and NDCC sections [16.1-01-01\(2\)\(e\)](#), [16.1-01-09](#), [16.1-01-10](#), [16.1-01-11](#), and [16.1-06-09](#) address procedures for the initiative and referral process and are reproduced on pages 12-17.

DRAFTING THE PETITION

An initiative or referendum petition must be drafted in the manner prescribed by law. [NDCC § 16.1-01-09](#) details the requirements for the petition (see pages 13-15). The Office of the Secretary of State has developed **Drafting Templates – Initiated or Referendum**, available on request from our office, as a tool to guide you in this process. The example reference – [Sample Petitions Document – Initiated and Referral](#) – can be used along with the [Petition Drafting Guidance](#) and [Petition Signature Gathering Guidance](#) found on the Office of the Secretary of State’s website’s [Drafting Ballot Measures](#) page.

SPONSORING COMMITTEE

A petition must have twenty-five (25) or more qualified North Dakota voters who agree to act as the sponsoring committee for the petition. The names and addresses of the sponsoring committee members must appear on the front page of the petition. One sponsoring committee member must be designated as committee chairperson.

A qualified North Dakota voter is:

- A United States citizen;
- A resident of North Dakota;
- A resident of their precinct at least 30 days preceding the election; and
- At least 18 years or older.

SPONSORING COMMITTEE AFFIDAVITS

All sponsoring committee members must complete and sign a Sponsoring Committee Affidavit stating that they are a qualified North Dakota voter and have agreed to be on the sponsoring committee. The original Sponsoring Committee Affidavits must be notarized and provided when the petition is submitted to the Office of the Secretary of State for format approval.



ATTENTION:

- Sponsoring committee members **MAY NOT** notarize the affidavits of other committee members.
- Sponsoring committee members **CANNOT** have a spouse notarize their signatures.
- Names and addresses of the Sponsoring Committee listed on the petition must **MATCH EXACTLY** the name, address, and signature provided on the individual Sponsoring Committee Affidavits.
 - For example, if a sponsoring committee member signs his or her name “Jim Doe,” and the signature on the affidavit is signed as “James P. Doe,” you will be asked to make a correction.

SUBMISSION FOR FORMAT AND TITLE APPROVAL

Once the petition is submitted for format approval, the Secretary of State drafts a short and concise petition title that fairly represents the measure. The petition title is reviewed and approved by the Attorney General within five (5) to seven (7) business days. The petition title is a short statement to be included on the petition, which must fairly represent the substance of the proposed change or addition. The Office of the Secretary of State will also issue a release to the media indicating that an initiated or referendum petition has been submitted for format approval.



The **PETITION TITLE** will be provided to you for insertion into the petition.

The approved petition title is then provided to the sponsoring committee chair for inclusion into the petition. The sponsoring committee chair has 15 business days after receiving the approved petition title from the Office of the Secretary of State to revise the petition with the title and any requested corrections.

SUBMISSION FINAL CIRCULATION APPROVAL – TIMELINE

Once the petition is revised, the final petition in its entirety, along with any sponsoring committee member affidavits that needed correction, is submitted for final circulation approval by the Office of the Secretary of State. Once the petition is approved, the Office of the Secretary of State will notify the sponsoring committee chair that petition circulators may begin gathering signatures. The Office of the Secretary of State will also issue a release to the media indicating that an initiated or referendum petition has been approved for circulation.

It should be noted that all pages of the petition approved by the Office of the Secretary of State **MUST BE INCLUDED** with every copy of the petition circulated. The signatures gathered on incomplete petition copies will be rejected and cannot be included in the total number of signatures gathered in the circulation process.

TIMELINE FOR CIRCULATION

- **Constitutional & Initiative Petitions** – Must be submitted to the Secretary of State no later than one (1) year from the date the petition format was approved. Petitions must be submitted at least 120 days before a statewide election in order for the measure to be placed on the respective ballot for that election.
- **Referendum Petitions** – Must be submitted within 90 days after the legislation being referred was signed by the Governor and filed with the Secretary of State.

GATHERING SIGNATURES

AMOUNT REQUIRED

Petition signature requirements are based on a percentage of the population of North Dakota according to the last decennial census. The percentages below are based on 2020 census figures:

North Dakota Population: 779,094

- **Referendum Petition (2%) = 15,582**
- **Statutory Initiative (2%) = 15,582**
- **Constitutional Initiative (4%) = 31,164**



Past petition sponsors have gathered **several hundred to several thousand additional signatures beyond the required amounts to ensure that the signature requirement will be met** after invalid and/or duplicate signatures are rejected during the review process.

WHO CAN CIRCULATE AND SIGN PETITIONS

Petition circulators, also called signature gatherers, must be qualified electors of the state of North Dakota. Petition circulators may be accompanied by others who may not be qualified voters, however:

- Any person gathering signatures for a statewide petition may not be paid anything of value based on the number of signatures gathered.
- Sponsoring committee members can circulate petitions as a qualified elector of North Dakota; however, they may not sign a petition they are personally circulating.
- Although petition circulators **may be accompanied by others who may not be qualified voters** of the state of North Dakota, a petition **MUST remain in the physical possession** of the qualified North Dakota circulator and all signatures obtained must be witnessed by the same.

SIGNATURE GATHERING PROCEDURES

The below provides signature gathering procedures that must be followed for all petition packets.

- **Petition packets must be circulated in their entirety, which includes the following:**
 1. listing of the members of the sponsoring committee with complete address
 2. petition title
 3. full text of the measure
 4. instruction to petition signers (included on top of each petition signature page)
 5. signature sheets – spaces for no more than 50 signatures per packet
 6. affidavit of circulator (signed after gathering of signatures)
- **You must be present when the signer signs the petition. Do NOT leave the petition unattended.**
- **The most common reasons signatures on petitions are rejected:**
 1. Have a printed name that cannot be read. Ask the signer to print and sign clearly. Illegible printed signatures will be rejected if a name cannot be determined.,
 2. Do not include a complete residential address. The address must include
 - a. City, state, and zip code
 - b. Apartment or suite numbers (if applicable)
 - c. Indication if the address is a street, avenue, boulevard, place, circle, etc.,
 - d. A directional indicator for the address – N, S, E, W, NE, SW, etc., (if applicable)
 3. Signed by another person, not the individual, such as his or her spouse/partner. Such signatures will be rejected. Each person must sign the petition individually.
 4. Does not include correct date that he or she signed.

Example of complete address within a signature sheet:

	Month/ Day /Year	Name of Qualified Elector PRINTED	Name of Qualified Elector SIGNATURE	RESIDENTIAL ADDRESS Include street type, any directional (N,S,E,W), apartment or suite numbers, if applicable.	CITY, STATE	ZIP CODE
1	8/1/29	Joe Smith	<i>Joe Smith</i>	123 Forest Blvd NE, Apt #2	Inkster, ND	58244

CIRCULATOR NAMES AND CONTACT INFORMATION

The chairperson shall submit a complete list of petition circulators which must include each circulator’s full name and residential address. The residential address must be in North Dakota and identify the circulator’s street address, city, and zip code.

PROPER COMPLETION OF AFFIDAVIT OF CIRCULATOR

A properly completed Affidavit of Circulator must be included as the last page of each circulated petition packet.

1. **DO NOT** complete and sign the affidavit before gathering signatures.
2. The affidavit **MUST BE SIGNED BY THE SIGNATURE GATHERER AND NOTARIZED**, after the last signature on the petition sheets is gathered.
 - *The affidavit of circulators requires signature gatherers, in part, to swear that each signer is the individual whose name was printed on the petition, signed in their presence, and are qualified electors of North Dakota. If you complete and sign the affidavit before gathering all the signatures, you cannot legally claim that you met these factors.*
3. Signature gatherers who want to sign the petition **should NOT SIGN a petition they personally circulate**. They may sign the petition of another signature gatherer. If a signature gatherer signs their own petition, this will result in their signature being rejected.
4. Notaries who want to sign the petition **should NOT SIGN a petition they notarize**. They may sign a petition they do not notarize. If a notary public notarizes an affidavit of signatures they signed, this will result in their signature being rejected.

SUBMITTING PETITIONS TO THE SECRETARY OF STATE

Once the number of required signatures has been collected, the petition should be prepared for submission to the Office of the Secretary of State.

CONSTITUTIONAL & INITIATIVE PETITIONS

Must be submitted to the Office of the Secretary of State no later than one (1) year from the date the petition format was approved. Petitions must be submitted at least 120 days before a statewide election in order for the measure to be placed on the respective ballot for that election. Petitions with sufficient signatures submitted during the period less than 120 days from an election will result in a measure to be included on the next election ballot that is more than 120 days from the date of the submission.

The 120-day initiative petition filing deadlines for the 2026 elections are as follows:

ELECTION	ELECTION DATE	FILING DEADLINE
Primary	June 9, 2026	February 9, 2026
General	November 3, 2026	July 6, 2026

REFERENDUM PETITIONS

Must be submitted within 90 days after the legislation being referred was signed by the Governor and filed with the Secretary of State. The 90-day deadline for a referral petition includes the initial five (5) to seven (7) business days for the review of the petition draft by the Secretary of State and Attorney General. Referendum measures are voted on at the next regularly scheduled statewide election or at any special election called by the Governor for that purpose.

APPROVED MEASURE EFFECTIVE DATES

- A constitutional or statutory initiated or referred measure that is approved by the voters becomes law 30 days after the election, and a referred measure that is rejected by the voters is void immediately.
- If conflicting measures are approved, the one receiving the highest number of affirmative votes becomes law.
- A measure approved by the voters may not be repealed or amended by the Legislative Assembly for seven years from its effective date, except by a two-thirds majority vote of the members elected to each chamber of the North Dakota Legislative Assembly.



SPONSORING COMMITTEES MUST MAKE PRIOR ARRANGEMENTS WITH THE OFFICE OF THE SECRETARY OF STATE BEFORE DELIVERING PETITIONS TO OUR OFFICE.

REVIEW PETITIONS FOR THE FOLLOWING BEFORE SCHEDULING DELIVERY TIME:

- 1. Each petition must be submitted in its entirety, which includes:**
 - a. listing of the members of the sponsoring committee with complete address
 - b. petition title
 - c. full text of the measure
 - d. signature sheets – spaces for no more than 50 signatures per packet
 - e. affidavit of circulator (signed and notarized after signature collection is complete)
- 2. Prior to dropping off petitions, complete the [Petition Final Submission Checklist](#) included in the [Petition Drafting Guidance](#) document. This includes:**
 - a. Estimated number of individuals who will come in person to deliver the petition
 - b. Estimated total number of packets
 - c. Estimated total number of signatures gathered
 - d. Group petition packets in stacks of twenty-five (25) and rubber banded together
- 3. Contact the Office of the Secretary of State at 701-328-4146 to arrange a date and time to deliver the completed petitions.**

UPON DELIVERY OF PETITIONS TO THE OFFICE OF THE SECRETARY OF STATE FOR REVIEW

- The person representing the sponsoring committee who delivers the petitions will be asked to sign a [Signature Affidavit Initiated and Referred Measures \(SFN 18687\)](#) attesting to the fact that to the best of that person's knowledge, the petitions contain at least the required number of signatures.
- The sponsoring committee representative will be provided with a **letter of receipt** noting the total number of packets submitted for review and the timeline for review based on the delivery date.
- The Office of the Secretary of State will issue a **release to the media** indicating that an initiated or referendum petition has been received for review.

SIGNATURE REVIEW BY SECRETARY OF STATE

Upon the receipt of initiative or referral petitions with the necessary number of signatures, the Office of the Secretary of State has **up to 35 days to review the signatures.**

- The signatures in the petitions will be randomly sampled using methods such as postcards, telephone calls, or other techniques to verify their validity.
- Signatures determined to be invalid will not be counted.
- All violations of North Dakota law discovered by the Office of the Secretary of State will be reported to the Attorney General for investigation and prosecution ([NDCC § 16.1-01-10](#)).

FISCAL IMPACT OF MEASURE

The Office of the Secretary of State will notify the Legislative Council that signed petitions have been submitted for placement of an initiated or referred measure on the ballot. The Legislative Council is authorized to convene committee meetings and collect information regarding the anticipated fiscal impact should the proposed measure be enacted into law. Impacted agencies provide information as prescribed by the Legislative Council or its designated committee for identifying the estimated fiscal impact of the measure.

At least 30 days before the public vote on the measure, the Legislative Council submits a statement of the estimated fiscal impact of the measure to the Secretary of State who places a notice of the analysis as required by [NDCC § 16.1-01-07](#) specifying where copies of the statement of the estimated fiscal impact can be obtained. **A statement regarding this estimated fiscal impact is also included on the ballot with the measure.** Within 30 days of the

close of the first complete fiscal year after the effective date of an approved measure, the agencies that provided the estimates of the fiscal impact to the Legislative Council must submit a report on the actual fiscal impact for the first fiscal year. This report includes comparisons to the estimates previously provided. The Legislative Council then issues a report of the actual fiscal impact of the measure.

FINANCIAL DISCLOSURE LAWS

PAYING CIRCULATORS

It is illegal to pay circulators on a basis related to the number of signatures obtained. The payment of salary and expenses for circulation of a petition is allowable.

- If salaries and/or expenses of a circulator(s) are going to be paid, a [Sponsoring Committee – Statement of Intent of Remuneration \(SFN 11516\)](#) must be filed with the Office of the Secretary of State **PRIOR TO paying for petitions to be circulated.** [NDCC § 16.1-01-12\(1\)\(j\)](#)



SPONSORING COMMITTEE CONTRIBUTION AND EXPENDITURE STATEMENTS - All statements mentioned below must be filed online using the Campaign Finance System.

SPONSORING COMMITTEE CONTRIBUTION AND EXPENDITURE STATEMENTS FILING REQUIREMENTS

Drafting Statement

When requesting the Office of the Secretary of State's approval to circulate a petition for a ballot measure, the sponsoring committee must also submit a statement of contributions and expenditures related to the petition. [NDCC § 16.1-08.1-03.1\(3\)](#)

Circulating Statement

When submitting signed petitions to the Office of the Secretary of State, the sponsoring committee must also provide a statement disclosing contributions and expenditures related to the petition. [NDCC § 16.1-08.1-03.1\(3\)](#)

Pre-Election Statement

If a statewide primary, general, or special election occurs between the date of the Office of the Secretary of State's approval of the petition for circulation and the end of the year, the committee must submit a statement disclosing contributions received and expenditures made related to the petition from the beginning of the year through the fortieth day before the election. A complete statement may be submitted starting on the thirty-ninth day before the election and must be submitted by the thirty-first day before the election. [NDCC § 16.1-08.1-02.4](#)

Year-End Statement

The sponsoring committee must file an annual statement for each year it is active. This statement is due by January 31 of the following year. [NDCC § 16.1-08.1-02.4](#)

CONTRIBUTION STATEMENTS

A sponsoring committee cannot accept contributions over one hundred dollars without a statement from the contributor, listing the name, address, and amount contributed by anyone giving more than one hundred dollars. It must also include the occupation, employer, and principal place of business for each such contributor. If no contributor exceeded one hundred dollars, it must be noted that no reportable contributions were received. (Reported as needed with above reports.) [NDCC 16.1-08.1-03.1](#)

CAMPAIGN FINANCE REPORTING REQUIREMENTS

A statement required to be filed with the Office of the Secretary of State must be **FILED ONLINE USING THE NORTH DAKOTA CAMPAIGN FINANCE SYSTEM** at Vote.ND.gov within the prescribed time and in the format required. After a statement is filed, the Office of the Secretary of State may request or accept written clarifications and amendments from any filer to address any discovered discrepancies, errors, or omissions. Campaign finance reports are preserved for a period of 10 years from the filing deadline, and filed statements are open to public inspection through the campaign finance system.

- **DETERMINING AMOUNT FROM CONTRIBUTORS** - Combine all contributions from the same contributor during the reporting period to report a total amount. The date of the most recent contribution must be referenced. Contributions from joint accounts by different individuals are reported separately.

Unless otherwise provided by law, any candidate, political party, committee, or person may not be charged a fee for filing any contribution statement with the Office of the Secretary of State.

FILING DEADLINES

STATEMENT TYPE	COVERED DATES	STATEMENT IS DUE
Drafting Statement	Dates not specified	At time approval is requested
Circulation Statement	Dates not specified	When signed petitions submitted
Year-End Statements	January 1 – December 31	January 31 of following year

PENALTY

Except as otherwise provided, any person who willfully violates any provision of chapter 16.1-08.1 of the NDCC is guilty of a class A misdemeanor. [NDCC § 16.1-08.1-07](#)

PERSON NOT EXCUSED FROM TESTIFYING AS TO VIOLATION

- An individual is not excused from attending and testifying or producing books, papers, or other documents before any court during any investigation, proceeding, or trial regarding a violation of any provisions of NDCC Chapter [16.1-08.1](#), on the grounds that the testimony or evidence, whether documentary or otherwise, may tend to incriminate or degrade the individual.
- No person may be prosecuted or subjected to any penalty or forfeiture for any transaction, matter, or thing concerning which they testify or produce evidence, whether documentary or otherwise, and no such testimony or evidence may be used against the individual in any criminal investigation or proceeding. [NDCC §16.1-08.1-03.4](#)

SUBJECT TO AUDIT BY SECRETARY OF STATE

An audit of any filed statement may be initiated either by the Office of the Secretary of State or by an external entity if there is evidence or a reasonable allegation of a substantial irregularity. In such cases, the Office of the Secretary of State will arrange for the audit to be conducted by a certified public accountant chosen by the filer, subject to the approval of the Office of the Secretary of State. The audit shall only cover those items required to be included in any statement filed with the Office of the Secretary of State. The Office of the Secretary of State may recover any payment obligations resulting from this audit through civil action or by assigning the debt to a collection agency, with any associated collection costs added to the amount owed by the delinquent filer. Any surplus funds collected by the Office of the Secretary of State after the audit expenses are covered must be deposited into the state's general fund. [NDCC § 16.1-08.1-05](#)

INITIATION OF AUDIT – RELATED COSTS

TOPIC	INITIATION OF AUDIT – OFFICE OF THE SECRETARY OF STATE	INITIATION OF AUDIT – OUTSIDE ENTITY
Justification for Audit	A substantial irregularity is evident or reasonably alleged	A substantial irregularity is reasonably alleged.
Initiation of Audit Process	Determined by the Office of the Secretary of State	A written request must be submitted to the Office of the Secretary of State by any interested party within 30 days following receipt of a statement by the office. The request must specify a substantial irregularity and a lawful reason for requesting an audit, along with a bond sufficient to cover the cost of the audit.
Cost of Audit – No Violation	Office of the Secretary of State assumes the cost of the audit	If an audit does not reveal a violation, the cost must be satisfied from the bond filed with the Office of the Secretary of State
Cost of Audit – Violation	Candidate, political party, political committee, or other person filing the statement pays a fine equal to 200% of contributions and expenditures found to be in violation or sufficient to pay the cost of the audit, whichever is greater	The cost will be paid by the candidate, political party, political committee, or other person filing the statement. The bond shall be returned to the person who submitted it.

COMMONLY ASKED QUESTIONS

Q. How many signatures do I need?

- A.** Based on the 2020 decennial census, initiated statutory and referred measures need 15,582 signatures. Initiated Constitutional measures need 31,164 signatures.

Q. Do I need to hire a lawyer to draft my petition?

- A.** Generally, you do not need a lawyer to draft a petition to change a law. However, it may be beneficial to consult a lawyer to ensure the language you are proposing for law change results in the outcome you wish. The Office of the Secretary of State cannot provide legal advice.

Q. Who can circulate petitions and collect signatures?

- A.** Any qualified voter of North Dakota. A qualified voter of North Dakota is:
- A United States citizen;
 - A resident of North Dakota;
 - A resident of their precinct at least 30 days preceding the election; and
 - At least 18 years or older.
 - **NOT QUALIFIED VOTERS:** *Incarcerated felons and persons officially declared mentally incompetent by court ruling.*

Q. Who can sign the petition?

A. Any qualified voter of North Dakota. Petition circulators may sign a petition they have not personally circulated.

Q. Can sponsoring committee members act as circulators?

A. Yes. Sponsoring committee members must be qualified North Dakota voters and, as such, are eligible to circulate petitions. Sponsoring committee members may not sign a petition they personally circulate.

Q. Can sponsoring committee members sign a petition?

A. Yes. Sponsoring committee members must be qualified North Dakota voters and, as such, are eligible to sign a petition. Sponsoring committee members may not sign a petition they personally circulate.

Q. Can a notary public notarize a petition packet they have signed?

A. No. A notary public may not notarize the same petition packet they signed. They can, however, sign a different petition packet that they have not signed.

Q. Can a notary public notarize a petition packet their spouse has signed?

A. No. A notary public may not notarize a petition packet that their spouse has signed. They can, however, sign a different petition packet that their spouse has not signed.

Q. When does an initiated measure take effect?

A.

- According to the North Dakota Constitution, if a majority of votes cast upon an initiated or a referred measure is affirmative, it is deemed enacted.
- An initiated or referred measure which is approved becomes law 30 days after the election, and a referred measure which is rejected is void immediately.
- If conflicting measures are approved, the one receiving the highest number of affirmative votes becomes law.
- A measure approved by the electors may not be repealed or amended by the Legislative Assembly for seven years from its effective date, except by a two-thirds vote of the members elected to each house.

Q. What happens to a law being referred?

A. The submission of a referral petition with the required number of signatures suspends the operation of any measure enacted by the Legislative Assembly, except emergency measures and appropriation measures for the support and maintenance of state departments and institutions. An emergency measure requires a two-thirds vote of the members elected to the Legislative Assembly and must include in the act a declaration that it is an emergency.

REFERENCE TO THE LAWS

NORTH DAKOTA CONSTITUTION - ARTICLE III POWERS RESERVED TO THE PEOPLE

Section 1. While the legislative power of this state shall be vested in a legislative assembly consisting of a senate and a house of representatives, the people reserve the power to propose and enact laws by the initiative, including the call for a constitutional convention; to approve or reject legislative Acts, or parts thereof, by the referendum; to propose and adopt constitutional amendments by the initiative; and to recall certain elected officials. This article is self-executing and all of its provisions are mandatory. Laws may be enacted to facilitate and safeguard, but not to hamper, restrict, or impair these powers.

Section 2. A petition to initiate or to refer a measure shall be presented to the secretary of state for approval as to form. A request for approval shall be presented over the names and signatures of twenty-five or more electors as sponsors, one of whom shall be designated as chairman of the sponsoring committee. The secretary of state shall approve the petition for circulation if it is in proper form and contains the names and addresses of the sponsors and the full text of the measure.

The legislative assembly may provide by law for a procedure through which the legislative council may establish an appropriate method for determining the fiscal impact of an initiative measure and for making the information regarding the fiscal impact of the measure available to the public.

Section 3. The petition shall be circulated only by electors. They shall swear thereon that the electors who have signed the petition did so in their presence. Each elector signing a petition shall also write in the date of signing and his post-office address. No law shall be enacted limiting the number of copies of a petition. The copies shall become part of the original petition when filed.

Section 4. The petition may be submitted to the secretary of state if signed by electors equal in number to two percent of the resident population of the state at the last federal decennial census.

Section 5. An initiative petition shall be submitted not less than one hundred twenty days before the statewide election at which the measure is to be voted upon. A referendum petition may be submitted only within ninety days after the filing of the measure with the secretary of state. The submission of a petition shall suspend the operation of any measure enacted by the legislative assembly except emergency measures and appropriation measures for the support and maintenance of state departments and institutions. The submission of a petition against one or more items or parts of any measure shall not prevent the remainder from going into effect. A referred measure may be voted upon at a statewide election or at a special election called by the governor.

Section 6. The secretary of state shall pass upon each petition, and if the secretary of state finds it insufficient, the secretary of state shall notify the "committee for the petitioners" and allow twenty days for correction. All decisions of the secretary of state in regard to any petition are subject to review by the supreme court. But if the sufficiency of the petition is being reviewed at the time the ballot is prepared, the secretary of state shall place the measure on the ballot and no subsequent decision shall invalidate the measure if it is at the election approved by a majority of the votes cast thereon. If proceedings are brought against any petition upon any ground, the burden of proof is upon the party attacking it and the proceedings must be filed with the supreme court no later than seventy-five days before the date of the statewide election at which the measure is to be voted upon.

Section 7. All decisions of the secretary of state in the petition process are subject to review by the supreme court in the exercise of original jurisdiction. A proceeding to review a decision of the secretary of state must be filed with the supreme court no later than seventy-five days before the date of the statewide election at which the measure is to be voted upon. If the decision of the secretary of state is being reviewed at the time the ballot is prepared, the secretary of state shall place the measure on the ballot and no court action shall invalidate the measure if it is approved at the election by a majority of the votes cast thereon.

Section 8. If a majority of votes cast upon an initiated or a referred measure are affirmative, it shall be deemed enacted. An initiated or referred measure which is approved shall become law thirty days after the election, and a referred measure which is rejected shall be void immediately. If conflicting measures are approved, the one receiving the highest number of affirmative votes shall be law. A measure approved by the electors may not be repealed or amended by the legislative assembly for seven years from its effective date, except by a two-thirds vote of the members elected to each house.

Section 9. A constitutional amendment may be proposed by initiative petition. If signed by electors equal in number to four percent of the resident population of the state at the last federal decennial census, the petition may be submitted to the secretary of state. All other provisions relating to initiative measures apply hereto.

EXCERPTS FROM NDCC CHAPTER 16.1-01

16.1-01-09. Initiative or referendum petitions - Signature - Form - Circulation.

1. a. A request of the secretary of state for approval of a petition to initiate or refer a measure may be presented over the signatures of the sponsoring committee on individual signature forms that have been notarized. The secretary of state shall prepare a signature form that includes provisions for identification of the measure; the printed name, signature, and address of the committee member; and notarization of the signature. The filed signature forms must be originals.
- b. Upon receipt of a petition to initiate or refer a measure, the secretary of state shall draft a short and concise statement that fairly represents the measure. The statement must be submitted to the attorney general for approval or disapproval.
- c. The secretary of state and the attorney general shall complete their review of a petition in not less than five, nor more than seven, business days, excluding Saturdays.
- d. An approved statement must be affixed to the petition by the sponsoring committee. The statement must be called the "petition title" and placed immediately before the full text of the measure. The petition packet, including the approved statement and affidavits from the sponsoring committee members, must be submitted for final review by the secretary of state within fifteen business days, excluding Saturdays, before the petition can be approved to circulate for the collection of signatures. Petition packets and affidavits not received within fifteen business days are considered withdrawn.
2. An individual may not sign any initiative or referendum petition circulated pursuant to article III of the Constitution of North Dakota unless the individual is a qualified elector. An individual may not sign any petition more than once, and each signer shall also legibly print the signer's name, complete residential address or rural route or general delivery address, and the date of signing on the petition. Every qualified elector signing a petition shall do so in the presence of the individual circulating the petition. A referendum or initiative petition must be on a form prescribed by the secretary of state containing the following information:

REFERENDUM [INITIATIVE] PETITION
TO THE SECRETARY OF STATE,
STATE OF NORTH DAKOTA

We, the undersigned, being qualified electors request [House (Senate) Bill
_____ passed by the _____ Legislative Assembly] [the following initiated law]
be placed on the ballot as provided by law.

SPONSORING COMMITTEE

The following are the names and addresses of the qualified electors of the state of North Dakota who, as the sponsoring committee for the petitioners, represent and act for the petitioners in accordance with law:

Name	Address
_____ (Chairperson)	_____
_____	_____

PETITION TITLE

(To be drafted by the secretary of state, approved by the attorney general, and attached to the petition before circulation.)

FULL TEXT OF THE MEASURE

IF MATERIAL IS UNDERSCORED, IT IS NEW MATERIAL WHICH IS BEING ADDED.
IF MATERIAL IS OVERSTRUCK BY DASHES, THE MATERIAL IS BEING DELETED.
IF MATERIAL IS NOT UNDERSCORED OR OVERSTRUCK, THE MATERIAL IS EXISTING LAW
THAT IS NOT BEING CHANGED.

[The full text of the measure must be inserted here.]

INSTRUCTIONS TO PETITION SIGNERS

You are being asked to sign a petition. You must be a qualified elector. This means you are eighteen years old, you have lived in North Dakota thirty days, and you are a United States citizen. All signers shall also legibly print their name, complete residential address or rural route or general delivery address, and the date of signing on the petition. Every qualified elector signing a petition must do so in the presence of the individual circulating the petition.

QUALIFIED ELECTORS

Month, Day, Year	Signed Name of Qualified Elector	Printed Name of Qualified	Residential Address or Complete Rural Route or General Delivery Elector Address	City State, Zip Code
1.	_____	_____	_____	_____
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____
7.	_____	_____	_____	_____
8.	_____	_____	_____	_____

The number of signature lines on each page of a printed petition may vary if necessary to accommodate other required textual matter. In this section for referral petitions "full text of the measure" means the bill as passed by the legislative assembly excluding the session and sponsor identification. In this section for initiative petitions "full text of the measure" means an enacting clause which must be: "BE IT ENACTED BY THE PEOPLE OF THE STATE OF NORTH DAKOTA" and the body of the bill. If the measure amends the law, all new statutory material must be underscored and all statutory material to be deleted must be overstruck by dashes. When repealing portions of the law, the measure must contain a repealer clause and, in brackets, the text of the law being repealed.

- 3. Each copy of any petition provided for in this section, before being filed, must have attached an affidavit executed by the circulator in substantially the following form:

State of North Dakota)
) ss.
 County of _____)
 (county where signed)
 I, _____, being sworn, say that I am a qualified elector; that I
 (circulator)
 reside at _____;
 (address)

that each signature contained on the attached petition was executed in my presence; and that to the best of my knowledge and belief everyone whose signature appears on the attached petition is a qualified elector; and that each signature contained on the attached petition is the genuine signature of the individual whose name it purports to be.

 (signature of circulator)
 Subscribed and sworn to before me on _____, _____, at _____, North Dakota.
 (month/day/year) (city)
 (Notary Seal) _____
 (signature of notary)

Notary Public
My commission expires _____

4. No petition may be circulated under the authority of article III of the Constitution of North Dakota by an individual who is less than eighteen years of age, nor may the affidavit called for by subsection 3 be executed by an individual who is less than eighteen years of age at the time of signing. All petitions circulated under the authority of the constitution and of this section must be circulated in their entirety. A petition may not include a statement of intent or similar explanatory information.
5. When signed petitions are delivered to the secretary of state, the chairperson of the sponsoring committee shall submit to the secretary of state an affidavit stating that to the best of that individual's knowledge, the petitions contain at least the required number of signatures. The chairperson also shall submit a complete list of petition circulators which must include each circulator's full name and residential address. The residential address must be in this state and identify the circulator's street address, city, and zip code. Upon submission of the petitions to the secretary of state, the petitions are considered filed and may not be returned to the sponsoring committee for the purpose of continuing the circulation process or resubmitting the petitions at a later time. An elector's name may not be removed by the elector from a petition that has been submitted to and received by the secretary of state.
6. An initiative or referendum petition may be submitted to the secretary of state until midnight of the day designated as the deadline for submitting the petition.
7. An initiative petition may be circulated for one year from the date it is approved for circulation by the secretary of state.

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

1. The secretary of state shall have a reasonable period, not to exceed thirty-five days, in which to pass upon the sufficiency of any petition mentioned in section 16.1-01-09. The secretary of state shall conduct a representative random sampling of the signatures contained in the petitions by the use of questionnaires, postcards, telephone calls, personal interviews, or other accepted information-gathering techniques, or any combinations thereof, from which the secretary of state may exercise the secretary's judgment as to the validity of the individual signatures or groupings of signatures and other irregularities in the petition, thereby determining whether those signatures are to be counted as part of the necessary signature amount. Signatures determined by the secretary of state to be invalid may not be counted and if the number of valid signatures received is less than the required number of signatures to place the measure on the ballot, the secretary of state may not allow the measure to be placed on the ballot. When the secretary of state does not approve the measure to be placed on the ballot due to an insufficient petition, the action is presumed to be lawful, unless the presumption is rebutted by clear and convincing evidence that the action of the secretary of state was unlawful. All violations of law discovered by the secretary of state must be reported to the attorney general for prosecution.
2. For purposes of this section "clear and convincing evidence" means that degree of proof which, considering all the evidence in the case, produces the firm and abiding belief that it is highly probable that the proposition on which the challenging party has the burden of proof is true.

16.1-01-12. Election offenses - Penalty.

1. It is unlawful for an individual, measure committee as described in section 16.1-08.1-01, or other organization to:
 - a. Fraudulently alter another individual's ballot or substitute one ballot for another or to otherwise defraud a voter of that voter's vote.
 - b. Cause a disturbance, breach the peace, or obstruct a qualified elector or a member of the election board on the way to or at a polling place.
 - c. Vote more than once in any election.
 - d. Knowingly vote in the wrong election precinct or district.
 - e. Disobey the lawful command of an election officer as defined in chapter 16.1-05.
 - f. Knowingly exclude a qualified elector from voting or knowingly allow an unqualified person to vote.
 - g. Knowingly vote when not qualified to do so.

- h. Sign an initiative, referendum, recall, or any other election petition when not qualified to do so.
 - i. Circulate an initiative, referendum, recall, or any other election petition not in its entirety or when unqualified to do so.
 - j. Pay or offer to pay any individual, measure committee, or other organization, or receive payment or agree to receive payment, on a basis related to the number of signatures obtained for circulating an initiative, referendum, or recall petition. This subsection does not prohibit the payment of salary and expenses for circulation of the petition on a basis not related to the number of signatures obtained, as long as the circulators file the intent to remunerate before submitting the petitions and, in the case of initiative and referendum petitions, fully disclose all contributions received pursuant to chapter 16.1-08.1 to the secretary of state upon submission of the petitions. The disclosure of contributions received under this section does not affect the requirement to file a pre-election report by individuals or organizations soliciting or accepting contributions for the purpose of aiding or opposing the circulation or passage of a statewide initiative or referendum petition or measure placed upon a statewide ballot by action of the legislative assembly under chapter 16.1-08.1. Any signature obtained in violation of this subdivision is void and may not be counted.
 - k. Willfully fail to perform any duty of an election officer after having accepted the responsibility of being an election officer by taking the oath as prescribed in this title.
 - l. Willfully violate any rule adopted by the secretary of state pursuant to this title.
 - m. Willfully make any false canvass of votes, or make, sign, publish, or deliver any false return of an election, knowing the canvass or return to be false: or willfully deface, destroy, or conceal any statement or certificate entrusted to the individual's or organization's care.
 - n. Destroy ballots, ballot boxes, election lists, or other election supplies except as provided by law, or negatively impact the confidentiality, integrity, or availability of any system used for voting.
 - o. Sign a name other than that individual's own name to an initiative, referendum, recall, or any other election petition.
 - p. Willfully submit an initiative or referendum petition that contains one or more fraudulent signatures.
2.
 - a. A violation of subdivisions b, e, f, or h through l of subsection 1 is a class A misdemeanor.
 - b. A violation of subdivisions a, c, d, g, or m of subsection 1 is a class C felony.
 - c. A violation of subdivision n of subsection 1 is a class C felony.
 - d. A violation of subdivision o of subsection 1 is a class A misdemeanor if an individual signs one or two names other than the individual's own name to a petition and is a class C felony if an individual signs more than two names other than the individual's own name to a petition.
 - e. An organization, as defined in section 12.1-03-04, that violates this section is subject to the organizational fines in section 12.1-32-01.1. The court in which the conviction is entered shall notify the secretary of state of the conviction and shall order the secretary of state to revoke the certificate of authority of any convicted organization or limited liability company. The organization may not reapply to the secretary of state for authorization to do business under any name for one year upon conviction of a class A misdemeanor and for five years upon conviction of a class C felony under this section, except an organization operating a signature gathering business, or similar enterprise, that violates subdivision p of subsection 1, and is convicted of fraud, is subject to a class A misdemeanor and may not reapply to the secretary of state for authorization to do business under any name for five years following the entry of judgment.
 - f. A violation of subdivision p of subsection 1 by any member of a measure committee, including an initiative or referendum sponsoring committee or an agent acting on behalf of, or in conjunction with, a measure committee for the purpose of collecting signatures for a petition under this chapter is subject to a civil penalty of not more than three thousand dollars. The civil penalty may be recovered in an action brought in the district court of the Burleigh County by the attorney general.
 - g. An individual who is a member of an organization may be convicted of a violation as an accomplice under section 12.1-03-01.
 3. Every act this chapter makes criminal when committed with reference to the election of a candidate is equally criminal when committed with reference to the determination of a question submitted to qualified electors to be decided by votes cast at an election.

16.1-01-17. Estimated fiscal impact of an initiated or referred measure.

As soon as practicable after the secretary of state approves an initiated or referred measure for the ballot, the legislative council shall coordinate the determination of the estimated fiscal impact of the initiated or referred measure. Upon notification from the secretary of state that signed petitions have been submitted for placement of an initiated or referred measure on the ballot, the legislative management shall hold hearings, receive public testimony, and gather information on the estimated fiscal impact of the measure. Each agency, institution, or department shall provide information requested in the format and time frame prescribed by the legislative council for identifying the estimated fiscal impact of the measure. At least thirty days before the public vote on the measure, the legislative council shall submit a statement of the estimated fiscal impact of the measure to the secretary of state. Upon receipt, the secretary of state shall include a notice within the analysis required by section 16.1-01-07 specifying where copies of the statement of the estimated fiscal impact can be obtained. Within thirty days of the close of the first complete fiscal year after the effective date of an initiated or referred measure approved by the voters, the agencies, institutions, or departments that provided the estimates of the fiscal impact of the measure to the legislative council under this section shall submit a report to the legislative council on the actual fiscal impact for the first complete fiscal year resulting from provisions of the initiated or referred measure and a comparison to the estimates provided to the legislative council under this section, and the legislative council shall issue a report of the actual fiscal impact of the initiated or referred measure.

NDCC SECTION 16.1-06-09

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

1. Constitutional amendments or measures, initiated measures, and referred measures, duly certified to the county auditor by the secretary of state, or any other question or measure to be voted on, except the election of public officers at any primary, general, or special election including officers subject to a recall petition, must, unless otherwise determined by the secretary of state, be stated in full in a legible manner on the ballot. If the secretary of state concludes the amendment or measure is too long to make it practicable to print in full, the secretary of state in consultation with the attorney general shall cause to be printed a concise summary written in plain, clear, understandable language using words with common, everyday meaning which must fairly represent the substance of the constitutional amendment or initiated or referred measure. After the foregoing statement, the secretary of state shall cause to be printed a statement of the estimated fiscal impact of the constitutional amendment or initiated or referred measure and a concise statement of the effect of an affirmative or negative vote on the constitutional amendment or initiated or referred measure written in plain, clear, understandable language using words with common, everyday meaning. This explanatory statement must be drafted by the secretary of state in consultation with the attorney general. The words "Yes" and "No" must be printed on the ballot at the close of the statement regarding the effect of an affirmative or negative vote, in separate lines with an oval before each statement in which the voter is to indicate how the voter desires to vote on the question by darkening the oval. If two or more amendments or questions are to be voted on, they must be printed on the same ballot.
2. The measures to be submitted to the electors must be grouped and classified as constitutional measures, initiated statutes, or referred statutes and must be placed within such groups or classifications by the secretary of state in the order received, for the purpose of placing them on the ballot. Measures submitted by the legislative assembly must be placed first on the ballot within their classification in the order approved by the legislative assembly. Constitutional measures shall be placed first on the ballot, initiated statutes second, and referred statutes third. After all the measures have been placed within the appropriate group or classification, all measures must be numbered consecutively, without regard to the various groups or classifications.

SAMPLE OF SPONSORING COMMITTEE AFFIDAVIT

Sponsoring Committee Affidavits should be collectively presented to the Office of the Secretary of State with the first draft of the petition. The name and address of the sponsoring committee member reflected on the Sponsoring Committee Affidavit must match the name and address provided for that individual on page 1 of the petition.

SPONSORING COMMITTEE AFFIDAVIT

STATE OF NORTH DAKOTA

COUNTY OF _____
(COUNTY WHERE SIGNED)

I, _____, being first duly sworn, on oath, state that:
(SPONSORING COMMITTEE MEMBER FULL NAME)

1. My address is:

(COMPLETE RESIDENTIAL ADDRESS – STREET, CITY, STATE, ZIP)

2. I am a qualified North Dakota voter.

3. I am a member of the sponsoring committee for the attached [choose one of the following:]
Option 1: initiated measure, which <<describe purpose of initiated measure>>, OR
Option 2: referral petition referring Bill No. <enter bill #>>,
as passed by the <<Session # - example: sixty-ninth>> Legislative Assembly, and related to
<describe purpose of the bill>.

4. The attached <<initiative OR referral>> petition is presented to you as Secretary of State of the State of North Dakota for approval of the form of the petition.

(SIGNATURE OF SPONSORING COMMITTEE MEMBER)

Subscribed and sworn to before me, this _____ day of _____, 20_____.
(DAY) (MONTH) (YEAR)

(NOTARY STAMPING DEVICE)

(SIGNATURE OF NOTARIAL OFFICER)

PETITION FINAL SUBMISSION CHECKLIST

Complete the following prior to delivery of petitions for final review.

PETITION SIGNATURE REQUIREMENTS ARE MET

Petition signature requirements are based on a percentage of the population of North Dakota during the last decennial census. The percentages are based on 2020 census figures:

North Dakota Population: 779,094

- **Referendum Petition (2%) = 15,582**
- **Statutory Initiative (2%) = 15,582**
- **Constitutional Initiative (4%) = 31,164**

EACH PETITION IS COMPLETE AND INCLUDES:

1. listing of the members of the sponsoring committee with complete address
2. petition title
3. full text of the measure
4. signature sheets – spaces for no more than 50 signatures per packet
5. affidavit of circulator (signed after signature collection is complete)

PETITIONS ARE GROUPED AND BANDED

Group petitions into stacks of 25 and rubber band together.

_____ **ESTIMATED NUMBER OF PETITIONS**

_____ **ESTIMATED NUMBER OF SIGNATURES GATHERED**

_____ **NUMBER OF PERSONS TO DELIVER**

You will be asked to provide an estimated number of people who will be delivering the packets in-person to the Office of the Secretary of State.

SET A DATE AND TIME TO DELIVER PACKETS TO THE STATE CAPITOL

Contact the Office of the Secretary of State at 701-328-4146 to arrange a date and time to deliver completed petitions.

PETITION TITLE

NOTE: Replace this note with the approved title provided by the secretary of state – all other areas where the petition title is needed will update accordingly. The petition title is drafted by the secretary of state and approved by the attorney general. It is provided to the sponsoring committee chair for insertion into the petition in this space.

TITLE SPACE

TITLE SPACE

TITLE SPACE

FULL TEXT OF THE MEASURE

IF TEXT IS UNDERScoreD, IT IS NEW TEXT BEING ADDED. IF TEXT IS ~~STRUCK THROUGH~~, IT IS TEXT BEING DELETED. IF TEXT IS NOT UNDERScoreD OR OVERSTRUCK, THE TEXT IS THE EXISTING LAW THAT IS NOT BEING CHANGED.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF NORTH DAKOTA:

SECTION 1. Amendment. Section 11 of Article X of the North Dakota Constitution is amended and reenacted as follows:

Section 11. Revenue from gasoline and other motor fuel excise and license taxation, motor vehicle registration and license taxes, except revenue from aviation gasoline and unclaimed aviation motor fuel refunds and other aviation motor fuel excise and license taxation used by aircraft, after deduction of cost of administration and collection authorized by legislative appropriation only, and statutory refunds, ~~shall~~must be appropriated and used solely for construction, reconstruction, repair and maintenance of public highways, and the payment of obligations incurred in the construction, reconstruction, repair and maintenance of public highways, and as otherwise provided in this section. For each year an amount of revenue from gasoline and motor fuel excise taxation, corresponding to an amount at least equal to five dollars multiplied by the number of licensed motorboats in the state, must be appropriated to a special account within the game and fish fund known as the motorboat programs and safety account and to be used for the construction, reconstruction, repair, and maintenance of boating facilities, and for boating administration, and for the payment of obligations incurred in the construction, reconstruction, repair, and maintenance of boating facilities.

PETITION TITLE: NOTE: Replace this note with the approved title provided by the secretary of state – all other areas where the petition title is needed will update accordingly. The petition title is drafted by the secretary of state and approved by the attorney general. It is provided to the sponsoring committee chair for insertion into the petition in this space.

TITLE SPACE

TITLE SPACE

TITLE SPACE

INSTRUCTIONS TO PETITION SIGNER – This is a petition to initiate a law to be placed on the ballot in North Dakota as summarized above. To sign you must be a qualified elector of North Dakota – 1) U.S. citizen, 2) at least 18 years old, 3) lived in North Dakota for 30 days. You must sign the petition in the presence of the individual circulating the petition.

SIGNATURES OF QUALIFIED ELECTORS ONLY – YOU MUST PROVIDE ALL OF THE REQUESTED INFORMATION BELOW

	Month/ Day /Year	Name of Qualified Elector PRINTED	Name of Qualified Elector SIGNATURE	RESIDENTIAL ADDRESS Include street type (St, Ave, Blvd, etc.), any direction (N, S, NE, W), and apartment or suite numbers, if applicable.	CITY	STATE	ZIP CODE
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							

PETITION TITLE: NOTE: Replace this note with the approved title provided by the secretary of state – all other areas where the petition title is needed will update accordingly. The petition title is drafted by the secretary of state and approved by the attorney general. It is provided to the sponsoring committee chair for insertion into the petition in this space.

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SIGNATURES OF QUALIFIED ELECTORS ONLY – YOU MUST PROVIDE ALL OF THE REQUESTED INFORMATION BELOW

	Month/ Day /Year	Name of Qualified Elector PRINTED	Name of Qualified Elector SIGNATURE	RESIDENTIAL ADDRESS Include street type (St, Ave, Blvd, etc.), any direction (N, S, NE, W), and apartment or suite numbers, if applicable.	CITY	STATE	ZIP CODE
11							
12							
13							
14							
15							
16							
17							
18							
19							
20							

PETITION TITLE: NOTE: Replace this note with the approved title provided by the secretary of state – all other areas where the petition title is needed will update accordingly. The petition title is drafted by the secretary of state and approved by the attorney general. It is provided to the sponsoring committee chair for insertion into the petition in this space.

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TITLE SPACE

TITLE SPACE

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SIGNATURES OF QUALIFIED ELECTORS ONLY – YOU MUST PROVIDE ALL OF THE REQUESTED INFORMATION BELOW

	Month/ Day /Year	Name of Qualified Elector PRINTED	Name of Qualified Elector SIGNATURE	RESIDENTIAL ADDRESS Include street type (St, Ave, Blvd, etc.), any direction (N, S, NE, W), and apartment or suite numbers, if applicable.	CITY	STATE	ZIP CODE
21							
22							
23							
24							
25							
26							
27							
28							
29							
30							

PETITION TITLE: NOTE: Replace this note with the approved title provided by the secretary of state – all other areas where the petition title is needed will update accordingly. The petition title is drafted by the secretary of state and approved by the attorney general. It is provided to the sponsoring committee chair for insertion into the petition in this space.

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TITLE SPACE

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SIGNATURES OF QUALIFIED ELECTORS ONLY – YOU MUST PROVIDE ALL OF THE REQUESTED INFORMATION BELOW

	Month/ Day /Year	Name of Qualified Elector PRINTED	Name of Qualified Elector SIGNATURE	RESIDENTIAL ADDRESS Include street type (St, Ave, Blvd, etc.), any direction (N, S, NE, W), and apartment or suite numbers, if applicable.	CITY	STATE	ZIP CODE
31							
32							
33							
34							
35							
36							
37							
38							
39							
40							

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SIGNATURES OF QUALIFIED ELECTORS ONLY – YOU MUST PROVIDE ALL OF THE REQUESTED INFORMATION BELOW

	Month/ Day /Year	Name of Qualified Elector PRINTED	Name of Qualified Elector SIGNATURE	RESIDENTIAL ADDRESS Include street type (St, Ave, Blvd, etc.), any direction (N, S, NE, W), and apartment or suite numbers, if applicable.	CITY	STATE	ZIP CODE
41							
42							
43							
44							
45							
46							
47							
48							
49							
50							

AFFIDAVIT OF CIRCULATOR

RELATED TO SIGNATURES GATHERED FOR:

State of North Dakota

County of _____
(COUNTY WHERE SIGNED)

PETITION TITLE: NOTE: Replace this note with the approved title provided by the secretary of state – all other areas where the petition title is needed will update accordingly. The petition title is drafted by the secretary of state and approved by the attorney general. It is provided to the sponsoring committee chair for insertion into the petition in this space.

TITLE SPACE

TITLE SPACE

TITLE SPACE

I, _____, being sworn, say that I am a qualified elector; that I reside at
(CIRCULATOR FULL NAME)

(COMPLETE RESIDENTIAL ADDRESS – STREET, CITY, STATE, ZIP);

that each signature contained on the attached petition was executed in my presence; and that to the best of my knowledge and belief each individual whose signature appears on the attached petition is a qualified elector; and that each signature contained on the attached petition is the genuine signature of the individual whose name it purports to be.

(SIGNATURE OF CIRCULATOR)

Subscribed and sworn to before me on _____, 20____, at _____, North Dakota.
(MONTH, DAY) (YEAR) (CITY)

(NOTARY STAMPING DEVICE)

(SIGNATURE OF NOTARIAL OFFICER)

SAMPLE OF REFERENDUM PETITION

REFERENDUM PETITION TO THE NORTH DAKOTA SECRETARY OF STATE STATE OF NORTH DAKOTA

We, the undersigned being qualified electors of the state of North Dakota request House Bill No. 1054 passed by the sixty-ninth Legislative Assembly be placed on the ballot as provided by law in North Dakota Century Code 16.1-11-09.

SPONSORING COMMITTEE

The following are the names and addresses of the qualified electors of the state of North Dakota who, as the sponsoring committee for the petitioners, represent and act for the petitioners in accordance with law:

Full Name, CHAIR Address City ND 585103 Phone Email	Full Name Address City ND 58103	Full Name Address City ND 58103	Full Name Address City ND 58103	Full Name Address City ND 58103	Full Name Address City ND 58103
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Full Name (Total 25**) Address City ND 58103	*** Additional Members Full Name Address City ND 58103	Full Name Address City ND 58103	Full Name Address City ND 58103	Full Name Address City ND 58103	Full Name Address City ND 58103
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PETITION TITLE

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FULL TEXT OF THE MEASURE

IF TEXT IS UNDERScoreD, IT IS NEW TEXT BEING ADDED. IF TEXT IS ~~STRUCK THROUGH~~, IT IS TEXT BEING DELETED. IF TEXT IS NOT UNDERScoreD OR OVERSTRUCK, THE TEXT IS THE EXISTING LAW THAT IS NOT BEING CHANGED.

HOUSE BILL NO. 1054

AN ACT to amend and reenact section 4.1-14-01 of the North Dakota Century Code, relating to forage certification; and to declare an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 4.1-14-01 of the North Dakota Century Code is amended and reenacted as follows:

4.1-14-01. Certification of forage - Compliance with other standards.

1. To obtain certification that weeds prohibited according to the standards of the North American ~~weed~~invasive species management association are not cut when producing viable seeds and included in baled forage, the owner of the forage shall request that the agriculture commissioner conduct a certification inspection.
2. Upon receiving the request, the agriculture commissioner shall:
 - a. Inspect the forage acreage within ten days before harvest to verify that weeds prohibited according to the standards of the North American ~~weed~~invasive species management association are not present and producing viable seeds; and
 - b. (1) Ascertain that the scheduled harvest has occurred;
(2) Determine the number of bales for which certification tags or department-approved twine, or both, must be issued; and
2. If the agriculture commissioner determines that the conditions of subsection 2 have been met, the commissioner shall issue and affix or cause to be affixed on each bale of forage one dated certification tag or shall authorize the use of department-approved twine to bale the forage.

SECTION 2. EMERGENCY. This Act is declared to be an emergency measure.

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INSTRUCTIONS TO PETITION SIGNER – This is a petition to initiate a law to be placed on the ballot in North Dakota as summarized above. To sign you must be a qualified elector of North Dakota – 1) U.S. citizen, 2) at least 18 years old, 3) lived in North Dakota for 30 days. You must sign the petition in the presence of the individual circulating the petition.

SIGNATURES OF QUALIFIED ELECTORS ONLY – YOU MUST PROVIDE ALL OF THE REQUESTED INFORMATION BELOW

	Month/ Day /Year	Name of Qualified Elector PRINTED	Name of Qualified Elector SIGNATURE	RESIDENTIAL ADDRESS Include street type (St, Ave, Blvd, etc.), any direction (N, S, NE, W), and apartment or suite numbers, if applicable.	CITY	STATE	ZIP CODE
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AFFIDAVIT OF CIRCULATOR

RELATED TO SIGNATURES GATHERED FOR:

State of North Dakota

County of _____
(COUNTY WHERE SIGNED)

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I, _____, being sworn, say that I am a qualified elector; that I reside at
(CIRCULATOR FULL NAME)

(COMPLETE RESIDENTIAL ADDRESS – STREET, CITY, STATE, ZIP);

that each signature contained on the attached petition was executed in my presence; and that to the best of my knowledge and belief each individual whose signature appears on the attached petition is a qualified elector; and that each signature contained on the attached petition is the genuine signature of the individual whose name it purports to be.

(SIGNATURE OF CIRCULATOR)

Subscribed and sworn to before me on _____, 20____, at _____, North Dakota.
(MONTH, DAY) (YEAR) (CITY)

(NOTARY STAMPING DEVICE)

(SIGNATURE OF NOTARIAL OFFICER)

NORTH DAKOTA
SECRETARY OF STATE



MICHAEL HOWE | NORTH DAKOTA SECRETARY OF STATE

600 E BOULEVARD AVENUE, DEPT 108, BISMARCK, ND 58505-0500

ELECTIONS DIVISION

701-328-4146

soselect@nd.gov

VOTE.ND.GOV