

CHAPTER 16.1-03
PARTY COMMITTEE ORGANIZATION

16.1-03-01. Precinct caucus to elect precinct committeemen - Time and manner of holding - Caucus call - Notice.

1. Each legislative district party shall organize in conformance with the state legislative district boundaries as established by the legislative assembly and as set forth under chapter 54-03.
2. On or before May fifteenth following the last preceding general election, a party caucus must be held by every election precinct at a site within or reasonably close to the precinct in the manner provided in sections 16.1-03-01 through 16.1-03-03.
3. The legislative district chairman of each party shall set the date and time for the precinct caucus. If there is not a district chairman in a legislative district, the state party executive committee may issue the call for the precinct caucus. The call must contain the following:
 - a. Name of party.
 - b. Legislative district and precinct number or name.
 - c. Date of caucus.
 - d. Place of caucus.
 - e. Hours of caucus.
 - f. A statement of the business to be conducted, including the election of precinct committeemen and such other individuals as may be provided by state law and district party bylaws.
 - g. The name of the district chairman or, if there is not a district chairman, the member of the state party executive committee issuing the call.
4. The district chairman or, if there is not a district chairman, the state party executive committee shall provide ten days' published notice in the official newspaper in circulation within each precinct in the district. The notices must contain that information set forth in subsection 3. The information required by this section for all precincts in the district may be included in one notice for publishing purposes.

16.1-03-02. Who may participate in and vote at caucus.

1. Only those individuals who are qualified electors under section 16.1-01-04 may vote or be elected as committeemen or officers at the precinct caucus.
2. Only those individuals who either voted or affiliated with the party at the last general election or intend to affiliate with the party and vote with the party at the next election may vote at the precinct caucus.
3. In case the right of an individual to participate at the caucus is challenged, the question of the individual's right to participate must be decided by a vote of the whole caucus. An individual so challenged may not vote on the question of the individual's right to participate in the caucus, and a two-thirds vote of the whole caucus is required to exclude an individual from participation.
4. An individual may not vote or participate at more than one precinct caucus in any one year.

16.1-03-03. Political parties entitled to elect committeemen.

1. A political organization is entitled to elect a precinct committeeman at its precinct caucus if:
 - a. The organization nominated and had printed on the ballot at the last preceding general election the names of a set of presidential electors pledged to the election of the party's candidates for president and vice president or a candidate for governor, attorney general, or secretary of state; and
 - b. The candidates provided for in subdivision a received at least five percent of the total vote cast for presidential electors or for governor, attorney general, or secretary of state within this state at that election.

2. Each political party in each voting precinct of this state, otherwise qualifying under subsection 1, is entitled to elect one precinct committeeman for each two hundred fifty votes, or majority of a fraction thereof, cast for the party's presidential electors, governor, attorney general, or secretary of state in the precinct in the last general election. Each precinct is entitled to at least one precinct committeeman for each party which qualifies under subsection 1. Each precinct committeeman must be an elector of the precinct in which the committeeman resides and must be elected for a two-year term.
3. If a political organization desires to organize under this chapter but has not qualified as provided in subsection 1, the organization may elect one precinct committeeman for each precinct in the district.

16.1-03-04. Candidates elected at caucus - Tie vote - Canvassing vote.

Repealed by S.L. 1997, ch. 189, § 12.

16.1-03-05. Vacancies in office of precinct committeeman - Filling.

A vacancy in the office of precinct committeeman, which occurs after the organization of the district committee, may be filled by appointment from the precinct by the district executive committee of the party.

16.1-03-06. District committee of political party - How constituted.

Repealed by S.L. 1997, ch. 189, § 12.

16.1-03-07. Meeting of district committee - Organization.

1. In every odd-numbered year, the district committee of each party shall meet within fifteen days after the precinct caucus provided for in section 16.1-03-01. The day, hour, and site must be set by the existing district committee chairman. Any incumbent members of the legislative assembly from the party, the precinct committeemen of a party, selected as provided by this chapter, and any other individual provided for by the district committee's bylaws constitute the district committee of the party. The district committee of a party must be organized to coincide with the geographical boundary lines of state legislative districts. Each member of any committee provided for in this chapter must be a qualified elector.
2. The precinct committeemen and the party's incumbent members of the legislative assembly from the district shall select the officers of the district committee. The officers selected, as provided by the district party bylaws, need not be precinct committeemen; however, all the officers must be voting members of the district committee. The district committee shall forward to the state committee the name and contact information of the district committee chairman. The district committee may appoint an executive committee consistent with the bylaws of the district committee. That party's nominees for and members of the legislative assembly shall serve as members of the executive committee.
3. If the office of chairman becomes vacant, the vacancy may be filled as provided by the district party bylaws.
4. The bylaws of the state committee or state party may not include any requirement providing directives or procedures for the method of the organization of district committees nor may the state committee or state party take any action or impose any requirement regarding district party organization which is not consistent with this chapter.

16.1-03-08. State committee - Membership.

The state committee of each party consists of the chairman of each of the district committees of the party and any individual provided for in the bylaws of the state committee.

16.1-03-09. Proxies permissible - Exception.

Repealed by S.L. 1997, ch. 189, § 12.

16.1-03-10. Member of committee to be qualified elector - Term of member.

Repealed by S.L. 1997, ch. 189, § 12.

16.1-03-11. State committee - Meetings - Organization.

The state committee shall meet on or before July first of each odd-numbered year. The committee shall organize by selecting officers as provided for by the state committee bylaws and by adopting rules and modes of procedure, including rules and procedures regarding the selection of state convention delegates. Within thirty days following the state committee's organization, the newly elected chairman shall notify the secretary of state of the names of the party officers selected.

16.1-03-12. Meeting of district committee to elect delegates to state party convention - Optional precinct caucus - Proxies.

Repealed by S.L. 2013, ch. 168, § 16.

16.1-03-13. When state party convention held.

Repealed by S.L. 1997, ch. 189, § 12.

16.1-03-14. State party convention.

1. The party state committee shall set the place and time of the state party convention to be held in each general election year. Subject to party rules and bylaws, the state party convention may:
 - a. Nominate the legal number of qualified electors for its party for the offices of presidential electors.
 - b. Elect the required number of delegates and alternates to the national party convention.
 - c. Endorse candidates as provided under subsection 2.
2. The candidate or candidates for endorsement or election must be declared endorsed or elected under the rules of the party, and the chairman and secretary of the convention shall issue certificates of endorsement as provided in section 16.1-11-06 or certificates of election. The names of the qualified electors nominated for presidential electors the party wishes to place on the general election ballot must be certified by the chairman and secretary of the convention to the secretary of state by four p.m. on the sixty-fourth day before the general election to be placed upon the general election ballot as provided in section 16.1-06-07.1.

16.1-03-15. Expenses of delegates to national conventions.

Repealed by S.L. 1987, ch. 247, § 1.

16.1-03-16. Filling vacancy occurring in office of national committeeman or committeewoman.

Repealed by S.L. 1997, ch. 189, § 12.

16.1-03-17. Political party reorganization after redistricting.

If redistricting of the legislative assembly becomes effective after the organization of political parties as provided in this chapter and before the primary or the general election, the political parties, in the newly established precincts and districts, shall proceed to reorganize as closely as possible in conformance with this chapter to assure compliance with primary election filing deadlines.

16.1-03-18. Unfair and corrupt election practices applicable to chapter.

Repealed by S.L. 1997, ch. 189, § 12.

16.1-03-19. Organizations allowed to nominate statewide and legislative candidates.

Repealed by S.L. 2013, ch. 168, § 16.

16.1-03-20. Political parties may conduct presidential preference caucuses.

Repealed by S.L. 2009, ch. 181, § 1.

16.1-03-21. Organizations allowed to nominate statewide and legislative candidates.

A political organization may not endorse candidates or have candidates petition for president, vice president, Congress, statewide office, or legislative office as set forth in chapter 16.1-11, unless the organization:

1. Organized according to all requirements of this chapter;
2. Had printed on the ballot at the last preceding general election the names of a set of presidential electors pledged to the election of the party's candidate for president and vice president, a candidate for governor, a candidate for attorney general, or a candidate for secretary of state and those candidates for presidential electors, governor, attorney general, or secretary of state received at least five percent of the total vote cast for presidential electors, the office of governor, attorney general, or secretary of state within this state at that election and organized according to all requirements of this chapter; or
3. Filed a petition with the secretary of state signed by the number of electors required under section 16.1-11-30 to qualify to endorse candidates or to have candidates petition to be included on the primary election ballot in a consolidated column or on a special election ballot.