

**SECRETARY OF STATE**
Michael Howe
State of North Dakota
600 E Boulevard Ave Dept 108
Bismarck, ND 58505-0500
ELECTIONS UNIT
(701) 328-4146
soselect@nd.gov
Vote.ND.Gov



Election Observers

What is an election observer?

An election observer is an individual wishing to monitor the administration of the election. The law permits these people to observe but not cause a disturbance, breach the peace, or obstruct those marking their ballot or with election board officials performing their duties.

How many election observers may be at the polls?

Although there is no official limit on how many election observers may be at the polls, the election inspector has the right to limit the number based on space restrictions.

How are election observers selected?

Election observers can be selected by the organization they represent or can be any individual, except a candidate whose name is on a ballot in a voting place where the ballot is used. Election observers must wear a badge with the name of the individual and the name of any organization the individual is representing.

May election observers leave the polls?

Yes. These individuals are not members of the election board and may be replaced at any time during voting hours.

How close can election observers be to the election board?

No legal constraints determine the location these individuals may occupy in relation to the election board. However, election observers may not interfere with the election process or with members of the election board. The election inspector may direct election observers to a particular location in the polling place.

What does the North Dakota law say about election observers?

16.1-05-09. Election observers.

1. Election observers must be allowed uniform and nondiscriminatory access to all stages of the election process, including the certification of election technologies, early voting, absentee voting, voter appeals, vote tabulation, and recounts. An individual, except a candidate whose name is on a ballot in a voting place where the ballot is used, may be an election observer under this section if the individual informs the election inspector of the individual's intent to serve as an election observer. Each polling place must be arranged in a manner that permits each election observer to be positioned in a location where the election observer can plainly view and hear the occurrences of the polling place, without infringing on voter privacy.
2. An election observer must wear a badge with the name of the individual and the name of any organization the individual is representing. An election observer may not wear any campaign material advocating voting for or against a candidate or for or against any position on a question on the ballot. An election observer may not interfere with any voter in the preparation or casting of the voter's ballot or hinder or prevent the performance of the duties of any election official.