

**INITIATIVE PETITION  
TO THE SECRETARY OF STATE,  
STATE OF NORTH DAKOTA**

We, the undersigned, being qualified electors request 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:

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Grand Forks, ND 58201

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Rory Somsen  
519 5<sup>th</sup> St NE  
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## PETITION TITLE

This initiated measure creates a new article in the North Dakota Constitution entitled “Congressional Age Limits.” Under this Article, no person may be elected or appointed to serve a term or a portion of a term representing North Dakota in the U.S. Senate or the U.S. House of Representatives if that person could be 81 years old by December 31 of the year immediately preceding the end of the term, and any such person is prohibited from appearing on the ballot. If a superior law requires age-limited candidates to appear on the ballot in a primary or general election, the candidates’ age on December 31 of the year immediately preceding the end of the term they are seeking must be printed next to the names of all candidates for all federal legislative offices in future elections. This Article gives standing to enforce the article to any elector; permits an eligible person to file to appear on the primary election ballot or use an alternate statutory nomination method for a federal legislative office for the 2026 election immediately after this law takes effect; and provides immediate standing in the courts of this state to challenge the limited question of whether a denial violates article 1 of the U.S. Constitution. The Article also requires the Attorney General to zealously defend Section 4 of the Article and permits any elector residing within the district of an applicable office to timely join in the defense of Section 4 as a real party in interest. The Article’s provisions are severable, and, if any provision is held to be invalid, the remaining provisions and their application must not be affected. If this Article conflicts with any other provision of the North Dakota Constitution, the provisions of this Article must control. The Article will take effect immediately upon passage at the 2024 primary election or 2024 general election.

## 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.

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

**SECTION 1. AMENDMENT.** A new Article entitled “CONGRESSIONAL AGE LIMITS” is added to the Constitution of the State of North Dakota:

SECTION 1. MAXIMUM AGE OF 80 YEARS. No person may be elected or appointed to serve a term or a portion of a term in the U.S. Senate or the U.S. House of Representatives if that person could attain 81 years of age by December 31<sup>st</sup> of the year immediately preceding the end of the term.

SECTION 2. BALLOT ACCESS RESTRICTION. Notwithstanding any judicial determination regarding the enforceability of section 1, no candidates who would be barred from service under section 1 shall be permitted to appear on the ballot to be nominated for, or elected to, such offices.

SECTION 3. BALLOT ADVISORY. In the event superior law requires age-limited candidates to appear on the ballot in primary or general elections in contravention of section 2, the following ballot advisory shall appear parenthetically next to the names of all candidates for all federal legislative offices in future elections: “Candidate would be [candidate age on December 31<sup>st</sup> of the year immediately preceding the end of term] years old by end of term.”

SECTION 4. IMPLEMENTATION. This article shall take effect immediately and apply to any nomination for, or election to, a federal legislative office held at any election or by any other nominating method held after the effective date of this law.

- i. Any elector shall have standing to enforce this article. To expedite legal review, any otherwise eligible person may file to appear on the primary election ballot or to use alternate statutory nomination methods for a federal legislative office for the 2026 elections immediately after this law takes effect. Any denial of a filing under the terms of this article during the 2026 early filing period shall provide immediate standing in the courts of this state to challenge the limited question of whether the denial violates Article 1 of the United States Constitution.
- ii. Any action filed under this section shall be advanced on the docket and a final judgment shall be entered within 60 days. Any appeal of the judgment shall be noticed within 10 days. The North Dakota State Supreme Court shall have jurisdiction over the appeal and shall issue its order and mandate within 60 days of the filing of the notice of appeal.

- iii. The Attorney General shall zealously defend all portions of this section, in the courts of this state or of the United States, as an exercise of an important and fundamental state interest. In any action commenced in a court of this state, any elector residing within the district of an applicable office shall be permitted to timely join in the defense of this section as a real party in interest.

SECTION 5. SEVERABILITY. The provisions of this article are severable, and if any provision is held to be invalid, either on its face or as applied, the remaining provisions and their application shall not be affected thereby. In any case of a conflict between any provision of this article and any other provision of this constitution, the provisions of this article shall control.

### 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	<b>PRINTED</b> Name of Qualified Elector	<b>SIGNED</b> Name of Qualified Elector	Residential Address or Complete Rural Route or General Delivery Address	City, State, Zip Code
1				
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13				
14				

Month/Day /Year	<b>PRINTED</b> Name of Qualified Elector	<b>SIGNED</b> Name of Qualified Elector	Residential Address or Complete Rural Route or General Delivery Address	City, State, Zip Code
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**State of North Dakota**

**County of** \_\_\_\_\_  
(county where signed)

I, \_\_\_\_\_, being sworn, say that I am a qualified elector; that I reside at  
(circulator)

\_\_\_\_\_  
(address);

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  
(city)

(Notary Stamping Device)

\_\_\_\_\_  
(signature of notarial officer)