

HOUSE BILL NO. 1411

Introduced by

Representatives Hanson, Guggisberg, Kading, Mitskog

Senators Myrdal, Oban

1 A BILL for an Act to amend and reenact subsection 2 of section 16.1-08.1-02, subsection 1 of
2 section 16.1-08-03, section 16.1-08.1-03.1, subsection 2 of section 16.1-08.1-03.3,
3 subsection 2 of section 16.1-08.1-03.5, subsection 2 of section 16.1-08.1-03.8, subsection 1 of
4 section 16.1-08.1-03.9, subsection 2 of section 16.1-08.1-03.12, subsection 6 of
5 section 16.1-08.1-03.13, and section 16.1-08.1-04 of the North Dakota Century Code, relating
6 to political contribution statements.

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

8 **SECTION 1. AMENDMENT.** Subsection 2 of section 16.1-08.1-02 of the North Dakota
9 Century Code is amended and reenacted as follows:

10 2. The candidate committee, or candidate for statewide office who does not have a
11 candidate committee, and any candidate for legislative office shall include in the
12 statement the name and mailing address of all contributors who contributed in excess
13 of two hundred dollars in the aggregate during the reporting period to the candidate
14 committee, or candidate for statewide office who does not have a candidate
15 committee, and any candidate for legislative office, the aggregated amount of the
16 reportable contributions from each contributor and the date the last reportable
17 contribution from each contributor was received. For each listed contributor, the
18 aggregate contribution amount must be designated as money, an in-kind contribution,
19 or a combination of money and an in-kind contribution.

20 **SECTION 2. AMENDMENT.** Subsection 1 of section 16.1-08.1-03 of the North Dakota
21 Century Code is amended and reenacted as follows:

22 1. Any political party that receives contributions in excess of two hundred dollars in the
23 aggregate during the reporting period shall file a statement containing the aggregated
24 total of all contributions received from a person or political committee which exceed

1 two hundred dollars in amount. The statement must include the name and mailing
2 address of all contributors listed. For each contributor listed, the statement must
3 include the aggregated amount of the reportable contributions, whether the
4 contributions were money, in-kind contributions, or a combination of money and in-kind
5 contributions, and the date the last reportable contribution was received. For a state
6 political party, the statement must include a list of the name and mailing address of
7 each recipient of an expenditure exceeding two hundred dollars in the aggregate. For
8 each expenditure recipient listed, the list must include the aggregated amount of the
9 reportable expenditures and the date the last expenditure was made.

10 **SECTION 3. AMENDMENT.** Section 16.1-08.1-03.1 of the North Dakota Century Code is
11 amended and reenacted as follows:

12 **16.1-08.1-03.1. Contributions statement required of persons and measure committees**
13 **circulating or promoting passage or defeat of initiated or referred measure.**

- 14 1. Any person or measure committee, as described in section 16.1-08.1-01, that is
15 soliciting or accepting a contribution for the purpose of aiding or opposing the
16 circulation or passage of a statewide initiative or referendum petition or measure
17 placed upon a statewide ballot by action of the legislative assembly at any election
18 shall file a statement in accordance with this subsection if the person has received any
19 contribution in excess of one hundred dollars. The statement must include the name
20 and mailing address of each person that contributed in excess of one hundred dollars
21 to the person, the amount of each reportable contribution, whether the contribution
22 was money, an in-kind contribution, or a combination of money and an in-kind
23 contribution, and the date each reportable contribution was received. The statement
24 must include the name and mailing address of each recipient of an expenditure
25 exceeding one hundred dollars in the aggregate, the amount of each reportable
26 expenditure, and the date the expenditure was made.
- 27 2. A person or measure committee as described in section 16.1-08.1-01 which is
28 soliciting or accepting a contribution for the purpose of aiding or opposing the
29 circulation or passage of a statewide initiative or referendum petition or measure
30 placed upon a statewide ballot by action of the legislative assembly may not accept a
31 contribution of more than one hundred dollars from an out-of-state person or political

1 committee unless the contribution is accompanied by a certified statement from the
2 contributor listing the name, address, and amount contributed by each person that
3 contributed more than one hundred dollars of the contribution, and whether the
4 contribution was money, an in-kind contribution, or a combination of money and an in-
5 kind contribution. The statement must indicate if no person contributed in excess of
6 one hundred dollars of the out-of-state person's or political committee's overall
7 contribution. The certified statement must also list the occupation, employer, and
8 principal place of business for each individual who contributed more than one hundred
9 dollars of the contribution. The person soliciting or accepting a contribution for the
10 purpose of aiding the circulation of a statewide initiative or referendum petition or of
11 promoting passage or defeat of a statewide initiated or referred measure shall include
12 this statement with the contribution statement required to be filed under subsection 1.

13 3. The statement required of a person or measure committee under subsection 1 must
14 be filed with the secretary of state no later than the thirty-second day before the date
15 of the election in which the measure appears or would have appeared on the ballot
16 complete from the beginning of that calendar year through the fortieth day before the
17 date of the election. A complete statement for the entire calendar year for each
18 statement required to be filed under this section must be filed no later than the
19 thirty-first day of January of the following year. Even if a person required to report
20 according to this section has not received any contributions in excess of one hundred
21 dollars during the reporting period, the person shall file a statement as required by this
22 chapter. A statement filed according to this section during the reporting period must
23 show the following:

- 24 a. The gross total of all contributions received and expenditures made in excess of
25 one hundred dollars;
- 26 b. The gross total of all contributions received and expenditures made of one
27 hundred dollars, or less; and
- 28 c. The cash on hand in the filer's account at the start and close of the reporting
29 period.

30 **SECTION 4. AMENDMENT.** Subsection 2 of section 16.1-08.1-03.3 of the North Dakota
31 Century Code is amended and reenacted as follows:

- 1 2. All political action committees, as described in section 16.1-08.1-01, formed for the
2 purpose of administering the segregated fund provided for in this section shall file a
3 statement showing the name and mailing address of each contributor of an amount in
4 excess of two hundred dollars in the aggregate for the reporting period and a listing of
5 all expenditures of an amount in excess of two hundred dollars in the aggregate made
6 for political purposes with the secretary of state. The statement must include the
7 amount of each reportable contribution and the date it was received, and the amount
8 of each reportable expenditure and the date it was made. Each reported contribution
9 must be designated as money, an in-kind contribution, or a combination of money and
10 an in-kind contribution. A year-end statement covering the entire calendar year must
11 be filed no later than the thirty-first day of January of the following year. A pre-election
12 statement must be filed no later than the thirty-second day before any primary, special,
13 or general election and must be complete from the beginning of the calendar year
14 through the fortieth day before the election. Even if a political action committee has not
15 received any contributions or made any expenditures in excess of two hundred dollars
16 during the reporting period, the political action committee shall file a statement as
17 required by this chapter. A statement filed according to this section during the reporting
18 period must show the following:
- 19 a. The gross total of all contributions received and expenditures made in excess of
20 two hundred dollars;
 - 21 b. The gross total of all contributions received and expenditures made of two
22 hundred dollars, or less; and
 - 23 c. The cash on hand in the filer's account at the start and close of the reporting
24 period.

25 **SECTION 5. AMENDMENT.** Subsection 2 of section 16.1-08.1-03.5 of the North Dakota
26 Century Code is amended and reenacted as follows:

- 27 2. A corporation, cooperative corporation, limited liability company, or association may
28 make a donation of property or money to a state political party or nonprofit entity
29 affiliated with or under the control of a state political party for deposit in a separate and
30 segregated fund. Money in the fund must be used exclusively by the state political
31 party or nonprofit entity affiliated with or under the control of a state political party for

1 purchasing, maintaining, or renovating a building and for the purchase of fixtures for
2 the building. A state political party or nonprofit entity affiliated with or under the control
3 of a state political party receiving a donation under this subsection shall file a
4 statement with the secretary of state no later than the thirty-first day of January of
5 each calendar year. The statement must include the name and mailing address of
6 each donor, the amount of each donation, the date each donation was received,
7 whether the donation was money, property, or a combination of money and property,
8 all expenditures made from the fund during the previous calendar year, and cash on
9 hand in the fund at the start and close of the reporting period. Any income and
10 financial gain generated from a building purchased, maintained, or renovated from
11 donations authorized under this subsection and not otherwise authorized by law must
12 be deposited in the building fund and must be reported when the political party or
13 nonprofit entity files the statement required under this subsection.

14 **SECTION 6. AMENDMENT.** Subsection 2 of section 16.1-08.1-03.8 of the North Dakota
15 Century Code is amended and reenacted as follows:

16 2. A multicandidate political committee shall file a statement containing the ~~aggregated~~
17 ~~total of all contributions showing the name and mailing address of each contributor~~
18 who contributed in excess of two hundred dollars in the aggregate to the committee
19 during a reporting period, the aggregated amount of the ~~reportable contributions in~~
20 ~~excess of two hundred dollars~~ contributed by each listed contributor, whether that
21 amount was money, an in-kind contribution, or a combination of money and an in-kind
22 contribution, and the date ~~the last~~ each reportable contribution was received.

23 **SECTION 7. AMENDMENT.** Subsection 1 of section 16.1-08.1-03.9 of the North Dakota
24 Century Code is amended and reenacted as follows:

25 1. A judicial district candidate or a candidate committee for a judicial district candidate
26 shall make and file a statement in accordance with this section. The candidate or
27 candidate committee shall include in the statement:
28 a. The name and mailing address of all contributors who made contributions in
29 excess of two hundred dollars in the aggregate for the purpose of influencing the
30 nomination for election, or election, of the candidate;

- 1 b. The aggregated amount of the contributions from each listed contributor, and
2 whether the aggregated contributions were money, in-kind contributions, or a
3 combination of money and in-kind contributions;
4 c. The date the last contribution was received from each listed contributor;
5 d. The gross total of all contributions received in excess of two hundred dollars;
6 e. The gross total of all contributions received of two hundred dollars, or less; and
7 f. The cash on hand in the filer's account at the start and close of the reporting
8 period.

9 **SECTION 8. AMENDMENT.** Subsection 2 of section 16.1-08.1-03.12 of the North Dakota
10 Century Code is amended and reenacted as follows:

- 11 2. An incidental committee that solicits or accepts contributions for any political purpose
12 shall file a statement in the office of the secretary of state no later than the
13 thirty-second day before the date of any primary, special, or general election. The
14 statement must be complete from the beginning of that calendar year through the
15 fortieth day before the date of the primary, special, or general election. The committee
16 shall file a complete statement for the entire calendar year no later than the thirty-first
17 day of January of the following year in which the committee received a reportable
18 contribution. Even if an incidental committee has not received any contributions in
19 excess of two hundred dollars during the reporting period, the committee shall file a
20 statement as required under this chapter. A statement filed under this subsection
21 during the reporting period must show the following:
- 22 a. The gross total of all contributions received in excess of two hundred dollars;
23 b. The name and mailing address of each contributor that contributed in excess of
24 two hundred dollars in the aggregate to the committee during a reporting period, and
25 whether the contributor contributed money, in-kind contributions, or a
26 combination of money and in-kind contributions;
27 c. The gross total of all contributions received of two hundred dollars or less;
28 d. The date the last reportable contribution was received;
29 e. The cash on hand in the filer's account at the start and close of the reporting
30 period; and

- 1 f. The occupation, employer, and principal place of business of each person, or the
2 political committee if not already registered according to state or federal law,
3 which contributed five thousand dollars or more in the aggregate during the
4 reporting period.

5 **SECTION 9. AMENDMENT.** Subsection 6 of section 16.1-08.1-03.13 of the North Dakota
6 Century Code is amended and reenacted as follows:

7 6. The statements required of this section must include:

- 8 a. The gross total of all contributions received and expenditures made in excess of
9 one hundred dollars;
- 10 b. The gross total of all contributions received and expenditures made of one
11 hundred dollars or less;
- 12 c. The cash on hand in the filer's account at the start and close of the reporting
13 period;
- 14 d. The name and mailing address of each person that contributed in excess of one
15 hundred dollars to the sponsoring committee;
- 16 e. The amount of each reportable contribution and whether it was money, an in-kind
17 contribution, or a combination of money and an in-kind contribution;
- 18 f. The date each reportable contribution was received;
- 19 g. The name and mailing address of each recipient of an expenditure exceeding
20 one hundred dollars in the aggregate;
- 21 h. The amount of each reportable expenditure; and
- 22 i. The date the expenditure was made.

23 **SECTION 10. AMENDMENT.** Section 16.1-08.1-04 of the North Dakota Century Code is
24 amended and reenacted as follows:

25 **16.1-08.1-04. Supplemental statement required on large contributions received after**
26 **original statement - Filing time.**

27 If any candidate, political party, or political committee receives contributions in excess of
28 five hundred dollars in the aggregate within the thirty-nine days immediately preceding any
29 election from any individual contributor, that candidate, political party, political committee, or
30 person shall make and file a supplemental statement in the same form as required by section
31 16.1-08.1-02, 16.1-08.1-03, 16.1-08.1-03.1, 16.1-08.1-03.3, 16.1-08.1-03.8, 16.1-08.1-03.9,

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- 1 16.1-08.1-03.10, 16.1-08.1-03.11, or 16.1-08.1-03.12 ~~stating the name and street address of the~~
- 2 ~~contributor and the aggregated amount of the contribution,~~ and file the statement in the
- 3 appropriate office within forty-eight hours of the receipt of the contribution.