

**FIRST ENGROSSMENT  
with Senate Amendments**

Sixtieth  
Legislative Assembly  
of North Dakota

**ENGROSSED HOUSE BILL NO. 1499**

Introduced by

Representative Berg

Senator Stenehjem

1 A BILL for an Act to create and enact a new section to chapter 16.1-08.1 of the North Dakota  
2 Century Code, relating to campaign finance reporting; and to amend and reenact subsections 8  
3 and 10 of section 16.1-08.1-01 and subdivision a of subsection 2 of section 16.1-10-02 of the  
4 North Dakota Century Code, relating to the definition of a political committee and a political  
5 purpose.

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

7 **SECTION 1. AMENDMENT.** Subsections 8 and 10 of section 16.1-08.1-01 of the  
8 North Dakota Century Code are amended and reenacted as follows:

9 8. "Political committee" means any committee, club, association, or other group of  
10 persons which receives contributions or makes expenditures for political purposes  
11 and includes the following:

12 a. A political action committee, derived from a corporation, cooperative  
13 corporation, limited liability company, or an association that is prohibited from  
14 making direct contributions for political purposes under section  
15 16.1-08.1-03.3, and which solicits or receives contributions or makes  
16 expenditures for political purposes;

17 b. A candidate committee, established to support an individual candidate  
18 seeking statewide office, that solicits or receives contributions for political  
19 purposes;

20 c. An organization governed by section 527 of the Internal Revenue Code  
21 [26 U.S.C. 527], which solicits or receives contributions or makes  
22 expenditures for political purposes;

1           d. A multicandidate political committee, established to support multiple groups or  
2           slates of candidates seeking public office, that solicits or receives  
3           contributions for political purposes; and

4           ~~e.~~ e. A measure committee that solicits or receives contributions for the purpose of  
5           aiding or opposing a measure to be voted upon by the voters of the state.

6           10. "Political purpose" means any activity undertaken in support of or in opposition to  
7           the election or nomination of a candidate to public office and includes using "vote  
8           for", "oppose", or any similar support or opposition language in any advertisement  
9           whether the activity is undertaken by a candidate, a political committee, a political  
10          party, or any person. In the period thirty days before a primary election and sixty  
11          days before a special or general election, "political purpose" also means any  
12          activity in which a candidate's name, office, district, or any term meaning the same  
13          as "incumbent" or "challenger" is used in support of or in opposition to the election  
14          or nomination of a candidate to public office. The term does not include activities  
15          undertaken in the performance of a duty of a state office or any position taken in  
16          any bona fide news story, commentary, or editorial.

17          **SECTION 2.** A new section to chapter 16.1-08.1 of the North Dakota Century Code is  
18          created and enacted as follows:

- 19          1. An organization governed by section 527 of the Internal Revenue Code [26 U.S.C.  
20          527], which solicits or receives contributions or makes expenditures for political  
21          purposes, shall file a statement showing the name and mailing address of each  
22          contributor of an amount in excess of two hundred dollars in the aggregate for the  
23          reporting period and a listing of all expenditures of an amount in excess of two  
24          hundred dollars in the aggregate made for political purposes with the secretary of  
25          state. The statement must include the amount of each reportable contribution and  
26          the date the contribution was received. The statement must also include the  
27          amount of each reportable expenditure and the date the expenditure was made.
- 28          2. A preelection statement must be filed no later than the twelfth day before a  
29          primary, special, or general election and must be complete from the beginning of  
30          the calendar year through the twentieth day before the election.

- 1       3. A year-end statement covering the entire calendar year must be filed no later than  
2       the thirty-first day of January of the following year.
- 3       4. Even if such an organization has not received any contributions or made any  
4       expenditure in excess of two hundred dollars during the reporting period, the  
5       organization shall file a statement as required by this chapter.
- 6       5. A statement filed according to this section during the reporting period must show  
7       the following:
  - 8       a. The gross total of all contributions received and expenditures made in excess  
9       of two hundred dollars;
  - 10       b. The gross total of all contributions received and expenditures made of two  
11       hundred dollars or less; and
  - 12       c. The cash on hand in the filer's account at the start and close of the reporting  
13       period.
- 14       6. The organization shall report the occupation, employer, and principal place of  
15       business of each person, or the political committee if not already registered  
16       according to state or federal law, that contributed five thousand dollars or more in  
17       the aggregate during the reporting period.

18       **SECTION 3. AMENDMENT.** Subdivision a of subsection 2 of section 16.1-10-02 of the  
19 North Dakota Century Code is amended and reenacted as follows:

- 20       a. "Political purpose" means any activity undertaken in support of or in  
21       opposition to the election or nomination of a candidate to public office and  
22       includes using "vote for", "oppose", or any similar support or opposition  
23       language in any advertisement whether the activity was undertaken by a  
24       candidate, a political committee, a political party, or any other person but  
25       does not include activities undertaken in the performance of a duty of state or  
26       political subdivision office. In the period thirty days before a primary election  
27       and sixty days before a special or general election, "political purpose" also  
28       means any activity in which a candidate's name, office, district, or any term  
29       meaning the same as "incumbent" or "challenger" is used in support of or in  
30       opposition to the election or nomination of a candidate to public office. The  
31       term does not include activities undertaken in the performance of a duty of a

- 1 state office or a position taken in any bona fide news story, commentary, or
- 2 editorial.