

Sixty-second
Legislative Assembly
of North Dakota

SENATE BILL NO. 2073

Introduced by

Judiciary Committee

(At the request of the Secretary of State)

1 A BILL for an Act to amend and reenact subsection 1 of section 16.1-08.1-03.3, section
2 16.1-08.1-03.5, and subsection 2 of section 16.1-08.1-03.8 of the North Dakota Century Code,
3 relating to campaign contribution statements.

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

5 **SECTION 1. AMENDMENT.** Subsection 1 of section 16.1-08.1-03.3 of the North Dakota
6 Century Code is amended and reenacted as follows:

- 7 1. A corporation, cooperative corporation, limited liability company, or association may
8 not make a direct contribution:
- 9 a. To aid any political party, political committee, or organization except that a direct
10 contribution may be made to a measure committee as provided in section
11 16.1-08.1-03.5.
- 12 b. To aid any corporation, limited liability company, or association organized or
13 maintained for political purposes as defined in this chapter.
- 14 c. To aid any candidate for public office or for nomination to public office.
- 15 d. For any political purpose or the reimbursement or indemnification of any person
16 for money or property so used.
- 17 e. For the influencing of any measure before the legislative assembly, except in
18 accordance with chapter 54-05.1.

19 **SECTION 2. AMENDMENT.** Section 16.1-08.1-03.5 of the North Dakota Century Code is
20 amended and reenacted as follows:

21 **~~16.1-08.1-03.5. DirectAllowable corporate contributions and expenditures - Passage~~**
22 **~~or defeat of a measure or state political party building funds-- Report required.~~**

- 23 1. ~~This chapter does not prohibit the exercise by corporations~~Corporations, cooperative
24 corporations, limited liability companies, and associations ~~of the right to~~may make

1 expenditures and contributions to a measure committee, as described in section
2 16.1-08.1-01, for the purpose of promoting passage or defeat of initiated or referred
3 measures, ~~or, Corporations, cooperative corporations, limited liability companies, and~~
4 associations may make expenditures and contributions for promoting any general
5 political philosophy or belief deemed in the best interest of the employees,
6 stockholders, patrons, or members of the corporation, cooperative corporation, limited
7 liability company, or association other than a "political purpose" as defined by this
8 chapter. ~~Any corporation, cooperative corporation, limited liability company, or~~
9 ~~association that receives contributions pursuant to section 16.1-08.1-03.1 or spends~~
10 ~~money for the purpose of promoting passage or defeat of initiated or referred~~
11 ~~measures, other than a contribution to another person or measure committee~~
12 ~~promoting passage or defeat of an initiated or referred measure, shall file a statement~~
13 ~~pursuant to section 16.1-08.1-03.1 along with a statement listing the total amount of~~
14 ~~money spent for that purpose. The statements filed pursuant to section 16.1-08.1-03.1~~
15 ~~must be filed with the secretary of state no later than the twelfth day before the date of~~
16 ~~the election in which the measure appears or would have appeared on the ballot~~
17 ~~complete from the beginning of that calendar year through the twentieth day before~~
18 ~~the date of the election. Statements showing the total amount of money spent for the~~
19 ~~purpose of promoting passage or defeat of initiated or referred measures must be filed~~
20 ~~with the secretary of state through the end of the calendar year in which the measure~~
21 ~~appeared on the ballot.~~

- 22 2. A corporation, cooperative corporation, limited liability company, or association may
23 make a donation of property or money to a state political party or nonprofit entity
24 affiliated with or under the control of a state political party for deposit in a separate and
25 segregated fund. Money in the fund must be used exclusively by the state political
26 party or nonprofit entity affiliated with or under the control of a state political party for
27 purchasing, maintaining, or renovating a building and for the purchase of fixtures for
28 the building. A state political party or nonprofit entity affiliated with or under the control
29 of a state political party receiving a donation under this subsection shall file a
30 statement with the secretary of state no later than the thirty-first day of January of
31 each calendar year. The statement must include the name and mailing address of

each donor, the amount of each donation, the date each donation was received, all expenditures made from the fund during the previous calendar year, and cash on hand in the fund at the start and close of the reporting period. Any income and financial gain generated from a building purchased, maintained, or renovated from donations authorized under this subsection and not otherwise authorized by law must be deposited in the building fund and must be reported when the political party or nonprofit entity files the statement required under this subsection.

3. A corporation, cooperative corporation, limited liability company, or association may make a direct expenditure for the purpose of promoting passage or defeat of initiated or referred measures. A direct expenditure statement must be filed with the secretary of state within forty-eight hours after making the expenditure. The statement must include:

- a. The full name of the corporation, cooperative corporation, limited liability company, or association;
- b. The complete address of the corporation, cooperative corporation, limited liability company, or association;
- c. The name and telephone number of the person completing the report;
- d. The title of the measure and whether the expenditure is made in support of or opposition to the measure;
- e. The election date on which the measure either will appear or did appear on the ballot;
- f. The amount of the expenditure;
- g. The cumulative total amount of expenditures since the beginning of the calendar year in support of or opposition to the measure;
- h. The printed name and signature of the person completing the report, attesting to the report being true, complete, and correct; and
- i. The date on which the report was signed.

SECTION 3. AMENDMENT. Subsection 2 of section 16.1-08.1-03.8 of the North Dakota Century Code is amended and reenacted as follows:

2. A multicandidate political committee shall file a statement containing the aggregated total of all contributions showing the name and mailing address of each contributor

1 who contributed in excess of two hundred dollars in the aggregate to the committee
2 during a reporting period, the aggregated amount of the reportable contributions in
3 excess of two hundred dollars, and the date the last reportable contribution was
4 received. However, for purposes of this section a multicandidate political committee
5 need not report any contributions of twenty-five dollars or less made to the committee
6 in exchange for any meal or food item provided as part of a fundraising event by the
7 committee.