

Fifty-fifth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1417

Introduced by

Representatives Boucher, Dorso, Skarphol

Senators LaFountain, Mathern, G. Nelson

1 A BILL for an Act to amend and reenact section 16.1-10-04 of the North Dakota Century Code,
2 relating to the publication of false information in political advertisements; and to provide a
3 penalty.

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

5 **SECTION 1. AMENDMENT.** Section 16.1-10-04 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **16.1-10-04. Publication of false information in political advertisements - ~~Penalty~~**
8 **Civil penalty.** ~~No~~

- 9 1. A person, political party, or political committee may not knowingly sponsor ~~any~~ or
10 publish a political advertisement or news release that contains ~~any~~ an assertion,
11 representation, or statement of fact, including information concerning a candidate's
12 prior public record, which the sponsor or publisher knows to be untrue, deceptive,
13 or misleading, whether on behalf of or in opposition to ~~any~~ a candidate for public
14 office, initiated measure, referred measure, constitutional amendment, or any other
15 issue, question, or proposal on an election ballot, and whether ~~such~~ the publication
16 is by radio, television, newspaper, pamphlet, folder, display cards, signs, posters or
17 billboard advertisements, or by any other public means. ~~Any~~ With respect to
18 publication of untrue, deceptive, or misleading statements by communications
19 media, this section applies only to advertising.
- 20 2. For the purposes of this section:
- 21 a. "Advertising" means the commercial use of communications media.
- 22 b. "Communications media" includes radio, television, newspapers, periodicals,
23 and commercial billboards.

- 1 3. A person who, political party, or political committee that violates the provisions of
2 this section is ~~guilty of a class A misdemeanor~~ subject to a civil penalty of up to two
3 thousand five hundred dollars for each publication.