

SENATE BILL NO. 2063

Introduced by

Judiciary Committee

(At the request of the Secretary of State and Attorney General)

1 A BILL for an Act to amend and reenact subsections 2 and 3 of section 16.1-08.1-01 of the
2 North Dakota Century Code, relating to campaign contributions.

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

4 **SECTION 1. AMENDMENT.** Subsections 2 and 3 of section 16.1-08.1-01 of the North
5 Dakota Century Code are amended and reenacted as follows:

6 2. "Candidate" means an individual who seeks nomination for election or election to
7 public office, and includes:

8 a. A person holding public office;

9 b. A person who has publicly declared that person's candidacy for nomination for
10 election or election to public office or has filed or accepted a nomination for
11 public office;

12 c. A person who has formed a campaign or other committee for that person's
13 candidacy for public office;

14 d. A person who has circulated a nominating petition to have that person's name
15 placed on the ballot; and

16 e. A person who has, in any manner, solicited or received a contribution for that
17 person's candidacy for public office, whether before or after the election for
18 that office.

19 3. "Contribution" means a gift, transfer, conveyance, provision, receipt, subscription,
20 loan, advance, ~~or~~ deposit of money, or anything of value, made for the purpose of
21 influencing the nomination for election, or election, of any person to public office or
22 aiding or opposing the circulation or passage of a statewide initiative or referendum
23 petition or measure. The term also means a contract, promise, or agreement,
24 express or implied, whether or not legally enforceable, to make a contribution for

- 1 any of the above purposes. The term includes funds received by a candidate for
2 public office or a political party or committee which are transferred or signed over
3 to that candidate, party, or committee from another candidate, party, or political
4 committee or other source except as provided in subdivision d. The term "anything
5 of value" includes any good or service of more than a nominal value. The term
6 "nominal value" means the cost, price, or worth of the good or service is trivial,
7 token, or of no appreciable value. The term "contribution" does not include:
- 8 a. A loan of money from a bank or other lending institution made in the regular
9 course of business.
 - 10 b. Time spent by volunteer campaign or political party workers.
 - 11 c. Money spent by a candidate on the candidate's own behalf.
 - 12 d. Any money received by a candidate for legislative office which is immediately
13 transferred or signed over to a district committee of a political party within
14 thirty days of the candidate receiving the money. The district committee of the
15 political party shall report a transfer of this kind as a contribution according to
16 section 16.1-08.1-03 and shall show the origin of the contribution to the
17 legislative candidate.
 - 18 e. Money or anything of value received by a candidate in that person's personal
19 capacity, including pursuant to a contract or agreement made for personal or
20 private employment purposes, and not received for a political purpose or to
21 influence the performance of that person's official duty.