

**FIRST ENGROSSMENT
with Senate Amendments**

Sixtieth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1243

Introduced by

Representatives Kasper, Dosch, R. Kelsch

Senators Cook, Klein, Wardner

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

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

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

6 **16.1-10-04. Publication of false information in political advertisements - Penalty.**

7 ~~No~~ A person may is guilty of a class A misdemeanor if that person knowingly ~~sponsor~~, or with
8 reckless disregard for its truth or falsity, publishes any political advertisement or news release
9 that contains any assertion, representation, or statement of fact, including information
10 concerning a candidate's prior public record, which ~~the sponsor knows to be~~ is untrue,
11 deceptive, or misleading, whether on behalf of or in opposition to any candidate for public
12 office, initiated measure, referred measure, constitutional amendment, or any other issue,
13 question, or proposal on an election ballot, and whether ~~such~~ the publication is by radio,
14 television, newspaper, pamphlet, folder, display cards, signs, posters, ~~or~~ billboard
15 advertisements, electronic transmission, or by any other public means. ~~Any person who~~
16 ~~violates the provisions of this section is guilty of a class A misdemeanor~~ This section does not
17 apply to a newspaper, television or radio station, or other commercial medium that is not the
18 source of the political advertisement or news release.