

**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

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