

Sixty-second
Legislative Assembly
of North Dakota

ENGROSSED 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. ~~Direct~~Allowable 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

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

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

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

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

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

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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 fifty dollars or less made to the committee in
6 exchange for any meal or food item provided as part of a fundraising event by the
7 committee.