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Sixty-fifth
Legislative Assembly
of North Dakota

# HOUSE BILL NO. 1298

Introduced by

Representatives Steiner, B. Anderson, Dockter, Laning, Rohr

Senators Armstrong, Laffen, O. Larsen

A BILL for an Act to create and enact a new section to chapter 11-10, a new section to chapter 40-05, and a new section to chapter 58-03 of the North Dakota Century Code, relating to prohibiting counties, cities, and townships from contracting with lobbyists; to amend and reenact section 54-05.1-02 of the North Dakota Century Code, relating to the definition of lobbyist and prohibiting lobbyists from receiving public funds from political subdivisions; and to provide a penalty.

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

**SECTION 1.** A new section to chapter 11-10 of the North Dakota Century Code is created and enacted as follows:

**Prohibition on contracting with lobbyist.**

1. Except as approved by a vote of the majority of electors voting on the question at a regular or special election or as specifically permitted by law, a county, including a home rule county or an entity created through a multicounty home rule charter, may not enter a contract requiring the expenditure of public funds to compensate a person other than an employee, officer, board member, or volunteer to attempt to:
   a. Secure the passage, amendment, or defeat of any legislation by the legislative assembly;
   b. Secure the approval or veto of any legislation by the governor; or
   c. Influence decisions made by the legislative management or an interim committee of the legislative management.
2. A county that violates this section or a county in which the electors vote in favor of a contract under subsection 1 must forfeit any state-paid property tax relief credit under section 57-20-07.2.

**SECTION 2.** A new section to chapter 40-05 of the North Dakota Century Code is created and enacted as follows:

**Prohibition on contracting with lobbyist.**

1. Except as approved by a vote of the majority of electors voting on the question at a regular or special election or as specifically permitted by law, a city, including a home rule city or an entity created through a multicity home rule charter, may not enter a contract requiring the expenditure of public funds to compensate a person other than an employee, officer, board member, or volunteer to attempt to:
   a. Secure the passage, amendment, or defeat of any legislation by the legislative assembly;
   b. Secure the approval or veto of any legislation by the governor; or
   c. Influence decisions made by the legislative management or an interim committee of the legislative management.
2. A city that violates this section or in which electors vote in favor of a contract under subsection 1 must forfeit any state-paid property tax relief credit under section 57-20-07.2.

**SECTION 3. AMENDMENT.** Section 54-05.1-02 of the North Dakota Century Code is amended and reenacted as follows:

**54-05.1-02. Applicability - Meaning of lobbyist.**

1. This chapter applies to any person who, in any manner whatsoever, directly or indirectly, performs any of the following activities:
   a. Attempts to secure the passage, amendment, or defeat of any legislation by the legislative assembly or the approval or veto of any legislation by the governor of the state.
   b. Attempts to influence decisions made by the legislative management or by an interim committee of the legislative management.
2. This chapter does not apply to any person who is:
   a. A legislator.
   b. A private citizen appearing on the citizen's own behalf.

c. An employee, officer, board member, or volunteer~~, or agent~~ of the state or its political subdivisions whether elected or appointed and whether or not compensated, who is acting in that person's official capacity.

d. Invited by the chairman of the legislative management, an interim committee of the legislative management, or a standing committee of the legislative assembly to appear before the legislative management, interim committee, or standing committee for the purpose of providing information.

e. An individual who appears before a legislative committee for the sole purpose of presenting testimony on behalf of a trade or professional organization or a business or industry if the individual is introduced to the committee by the registered lobbyist for the trade or professional organization or the business or industry.

3. For the purposes of this chapter, persons required to register under this chapter because of the performance of the activities described in subsection 1 must be known as "lobbyists".

4. Except as specifically permitted by law, a lobbyist may not receive public funds from a political subdivision for the performance of the activities described in subsection 1.

**SECTION 4.** A new section to chapter 58-03 of the North Dakota Century Code is created and enacted as follows:

**Prohibition on contracting with lobbyist.**

1. Except as specifically permitted by law, a township may not enter a contract requiring the expenditure of public funds to compensate a person other than an employee, officer, board member, or volunteer to attempt to:

a. Secure the passage, amendment, or defeat of any legislation by the legislative assembly;

b. Secure the approval or veto of any legislation by the governor; or

c. Influence decisions made by the legislative management or an interim committee of the legislative management.

2. A township that violates this section must forfeit any state-paid property tax relief credit under section 57-20-07.2.