23.0349.01000

Sixty-eighth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1230

Introduced by

Representatives Nathe, Bosch, Boschee, Dockter, Hagert, Heinert, Lefor, Stemen

Senators Hogue, Meyer, Patten

A BILL for an Act to amend and reenact section 16.1-01-10 of the North Dakota Century Code, relating to invalid signatures on an initiated petition; and to provide a penalty.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 16.1-01-10 of the North Dakota Century Code is amended and reenacted as follows:

16.1-01-10. Secretary of state to pass upon sufficiency of petitions - Method - Time limit - Penalty.

1. The secretary of state shall have a reasonable period, not to exceed thirty-five days, in which to pass upon the sufficiency of any petition mentioned in section 16.1-01-09. The secretary of state shall conduct a representative random sampling of the signatures contained in the petitions by the use of questionnaires, postcards, telephone calls, personal interviews, or other accepted information-gathering techniques, or any combinations thereof, to determine the validity of the signatures. Signatures determined by the secretary of state to be invalid may not be counted and all violations of law discovered by the secretary of state must be reported to the attorney general for prosecution.
2. In addition to the penalties prescribed in subsection 2 of section 16.1-01-12, any member of a measure committee, including an initiative or referendum sponsoring committee, who is found to have willfully submitted an invalid initiative or referendum petition, is subject to a fine of not less than one thousand dollars.
3. In addition to the penalties prescribed in subsection 2 of section 16.1-01-12, a measure committee, including an initiative or referendum sponsoring committee that is found to have willfully submitted an invalid initiative or referendum petition, is subject to a fine of not less than ten thousand dollars and is banned from conducting business

in North Dakota for five years following the entry of judgment for the offense under section 16.1-01-12.