

Introduced by

Senators Kannianen, Vedaa, Mathern

Representatives Beadle, Rick C. Becker, Mock

1 A BILL for an Act to amend and reenact sections 16.1-08.1-03.1, 16.1-08.1-03.13, and  
2 16.1-08.1-04 of the North Dakota Century Code, relating to contributions to and expenditures of  
3 campaigns for initiated or referred measures.

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

5 **SECTION 1. AMENDMENT.** Section 16.1-08.1-03.1 of the North Dakota Century Code is  
6 amended and reenacted as follows:

7 **16.1-08.1-03.1. Contributions statement required of persons and measure committees**  
8 **circulating or promoting passage or defeat of initiated or referred measure.**

- 9 1. Any person or measure committee, ~~as described in section 16.1-08.1-04,~~ that is  
10 soliciting or accepting a contribution for the purpose of aiding or opposing the  
11 circulation or passage of a statewide initiative or referendum petition or measure  
12 placed upon a statewide ballot by action of the legislative assembly at any election  
13 shall file a statement in accordance with this subsection if the person has received any  
14 contribution in excess of one hundred dollars. The statement must include the name  
15 and mailing address of each person that contributed in excess of one hundred dollars  
16 to the person, the amount of each reportable contribution, and the date each  
17 reportable contribution was received. ~~The statement must include~~
- 18 2. Any person or measure committee that is soliciting or accepting a contribution for the  
19 purpose of aiding or opposing the circulation or passage of a statewide initiative or  
20 referendum petition or measure placed upon a statewide ballot by action of the  
21 legislative assembly at any election shall file a statement with the secretary of state on  
22 the first business day of each week which includes the name and mailing address of  
23 each recipient of an expenditure exceeding one hundred dollars in the aggregate, the  
24 amount of each reportable expenditure, and the date the expenditure was made.

1        3. If a person or measure committee that is soliciting or accepting a contribution for the  
2        purpose of aiding or opposing the circulation or passage of a statewide initiative or  
3        referendum petition or measure placed upon a statewide ballot by action of the  
4        legislative assembly at any election receives any contribution of two hundred dollars in  
5        the aggregate, the person or committee shall file with the secretary of state a  
6        statement listing the name and street address of that contributor within seventy-two  
7        hours of the receipt of the contribution.

8        ~~2.4.~~ A person or measure committee as described in section ~~16.1-08.1-01~~ which~~that~~ is  
9        soliciting or accepting a contribution for the purpose of aiding or opposing the  
10       circulation or passage of a statewide initiative or referendum petition or measure  
11       placed upon a statewide ballot by action of the legislative assembly may not accept a  
12       contribution of more than one hundred dollars from an out-of-state person or ~~political-~~  
13       ~~committee~~ unless the contribution is accompanied by a certified statement from the  
14       contributor listing the name, address, and amount contributed by each person that  
15       contributed more than one hundred dollars of the contribution. The certified statement  
16       from the out-of-state contributor must indicate if no person contributed in excess of  
17       one hundred dollars of the out-of-state person's or ~~political committee's~~ overall  
18       contribution. The certified statement must also list the occupation, employer, and  
19       principal place of business for each individual who contributed more than one hundred  
20       dollars of the contribution. The person soliciting or accepting a contribution for the  
21       purpose of aiding the circulation of a statewide initiative or referendum petition or of  
22       promoting passage or defeat of a statewide initiated or referred measure shall include  
23       this statement with the contribution statement required to be filed under subsection 1.

24       5. A person, political action committee, or measure committee that is soliciting or  
25       accepting a contribution for the purpose of aiding or opposing the circulation or  
26       passage of a statewide initiative or referendum petition or measure placed upon a  
27       statewide ballot by action of the legislative assembly at any election may not accept  
28       contributions exceeding fifty percent of its aggregate contributions during any reporting  
29       period from out-of-state persons and may not accept more than thirty percent of its  
30       aggregate contributions during any reporting period from any individual contributor.

1     ~~3-6.~~ The statement required of a person or measure committee under subsection 1 must  
2           be filed with the secretary of state no later than the thirty-second day before the date  
3           of the election in which the measure appears or would have appeared on the ballot  
4           complete from the beginning of that calendar year through the fortieth day before the  
5           date of the election. A complete statement for the entire calendar year for each  
6           statement required to be filed under this section must be filed no later than the  
7           thirty-first day of January of the following year. ~~Even, even~~ if ~~at~~ the person required to  
8           report according to this section has not received any contributions in excess of one  
9           hundred dollars during the reporting period, ~~the person shall file a statement as~~  
10          ~~required by this chapter.~~ A statement filed according to this section during the reporting  
11          period must show the following:  
12          a. The gross total of all contributions received and expenditures made in excess of  
13             one hundred dollars;  
14          b. The gross total of all contributions received and expenditures made of one  
15             hundred dollars, or less; and  
16          c. The cash on hand in the filer's account at the start and close of the reporting  
17             period.

18         **SECTION 2. AMENDMENT.** Section 16.1-08.1-03.13 of the North Dakota Century Code is  
19         amended and reenacted as follows:

20         **16.1-08.1-03.13. Contribution statements required of initiated or referendum petition**  
21         **sponsoring committees - Statement of petition sponsors.**

- 22         1. At the time the sponsoring committee for an initiated or referendum petition requests  
23           approval of the secretary of state to circulate petitions for the purpose of placing a  
24           measure on the ballot, the committee also shall submit a statement disclosing the  
25           contributions received and the expenditures made relating to the petition.  
26         2. If a sponsoring committee receives any contribution of two hundred dollars in the  
27           aggregate, the committee shall file with the secretary of state a statement listing the  
28           name and street address of that contributor within seventy-two hours of the receipt of  
29           the contribution.  
30         3. A sponsoring committee shall file a statement with the secretary of state on the first  
31           business day of each week which includes the name and mailing address of each

1           recipient of an expenditure, the amount of each expenditure, and the date the  
2           expenditure was made.

3           4. At the time the sponsoring committee for an initiated or referendum petition submits  
4           signed petitions to the secretary of state, the committee also shall submit a complete  
5           statement disclosing the contributions received and expenditures made relating to the  
6           petition.

7           ~~3-5.~~ If December thirty-first falls between the date the secretary of state approves the  
8           petition for circulation and the date the signed petitions are submitted to the secretary  
9           of state, a complete statement for the calendar year shall be filed no later than the  
10          thirty-first day of January of the following year.

11          4.6. The sponsoring committee also shall file a complete statement for the calendar year in  
12          which the measure or referendum appeared or was to appear on the ballot and any  
13          other calendar year not covered by this section in which a contribution was received or  
14          an expenditure was made. This statement shall be filed no later than the thirty-first day  
15          of January of the following year.

16          ~~5-7.~~ A sponsoring committee may not accept a contribution of more than one hundred  
17          dollars from an out-of-state person ~~or political committee~~ unless the contribution is  
18          accompanied by a statement from the contributor listing the name, address, and  
19          amount contributed by each person that contributed more than one hundred dollars of  
20          the contribution. The statement from the out-of-state contributor must indicate if no  
21          person contributed in excess of one hundred dollars of the out-of-state person's or  
22          political committee's overall contribution. The statement must also list the occupation,  
23          employer, and principal place of business for each individual who contributed more  
24          than one hundred dollars of the contribution.

25          ~~6.~~ The

26          8. A sponsoring committee may not accept contributions exceeding fifty percent of its  
27          aggregate contributions from out-of-state persons and may not accept more than thirty  
28          percent of its aggregate contributions from any individual contributor.

29          9. Except for the statements required of under subsections 2 and 3, the statements  
30          required under this section must include:

- 1 a. The gross total of all contributions received and expenditures made in excess of
  - 2 one hundred dollars;
  - 3 b. The gross total of all contributions received and expenditures made of one
  - 4 hundred dollars or less;
  - 5 c. The cash on hand in the filer's account at the start and close of the reporting
  - 6 period;
  - 7 d. The name and mailing address of each person that contributed in excess of one
  - 8 hundred dollars to the sponsoring committee;
  - 9 e. The amount of each reportable contribution;
  - 10 f. The date each reportable contribution was received;
  - 11 g. The name and mailing address of each recipient of an expenditure exceeding
  - 12 one hundred dollars in the aggregate;
  - 13 h. The amount of each reportable expenditure; and
  - 14 i. The date the expenditure was made.
- 15 7-10. Within one hundred eighty days after the approval of a petition to initiate or refer a
- 16 measure or to recall an official or after the submission of a petition to convene a grand
- 17 jury as provided under section 29-10.1-02, the sponsoring committee or the individual
- 18 responsible for submission of the petition shall file a statement with the secretary of
- 19 state which discloses whether petition circulators have been or will be paid for the
- 20 circulation of petitions and which lists the total amount of money paid or which is
- 21 expected to be paid to circulators.

22 **SECTION 3. AMENDMENT.** Section 16.1-08.1-04 of the North Dakota Century Code is

23 amended and reenacted as follows:

24 **16.1-08.1-04. Supplemental statement required on large contributions received after**

25 **original statement - Filing time.**

26 If any candidate, political party, or political committee receives contributions in excess of

27 five hundred dollars in the aggregate within the thirty-nine days immediately preceding any

28 election from any individual contributor, that candidate, political party, political committee, or

29 person shall make and file a supplemental statement in the same form as required by section

30 16.1-08.1-02, 16.1-08.1-03, ~~16.1-08.1-03.1~~, 16.1-08.1-03.3, 16.1-08.1-03.8, 16.1-08.1-03.9,

31 16.1-08.1-03.10, 16.1-08.1-03.11, or 16.1-08.1-03.12 stating the name and street address of the

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Legislative Assembly

- 1 contributor and the aggregated amount of the contribution and file the statement in the
- 2 appropriate office within forty-eight hours of the receipt of the contribution.