

1 **TESTIMONY OF DAVID HOGUE IN SUPPORT OF SB 2352**
2 **SENATE STATE AND LOCAL GOVERNMENT COMMITTEE**
3 **FEBRUARY 2, 2023**

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5 Good morning Madam Chair Roers and members of the Senate State and Local
6 Government Committee. My name is David Hogue. I am a North Dakota state senator
7 representing District 38, which includes northwest Minot and the city of Burlington. I
8 appear before your committee to seek support for Senate Bill 2352.

9 SB 2352 is a bill intended to extend civil immunity protection to individuals who
10 work for unincorporated political organizations. I introduced the bill at the request of the
11 leader of one of the state’s major political parties. I am pleased to say that this is a
12 bipartisan bill. It protects employees and officers of both political parties.

13 We all are members of local political parties. Most of those local political parties
14 are not entities. But those local political parties often function as an entity. These
15 political parties and organizations: hold meetings, nominate candidates for public office,
16 host fundraisers, spend money, among other activities that many incorporated not-for-
17 profit entities do.

18 Substantially all of the natural persons who act on behalf of the political
19 organizations enter into commercial transactions and buy goods and services from
20 outside third parties. It is understood that these transactions are on behalf of the
21 political party, and not the person requesting the service or goods. SB 2352 limits any
22 tort liability for a person who is acting in a capacity as a party official.

1 This is civil immunity is not revolutionary. We provide similar immunity to board
2 members in a cooperative or in a not for profit entity. With some vary narrow
3 exceptions, we do not permit volunteer board members who are serving on a not for
4 profit board to be civilly liable for the acts or omissions when such act or omission is in
5 the service of the organization. I thing that same general true should hold true for
6 volunteers in political organizations and therefore urge your support of Senate Bill 2352.

7 Madam Chair Roers and members of the Senate State and Local Government
8 Committee, I urge your support of SB 2352.

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