

Sixty-ninth  
Legislative Assembly  
of North Dakota

## PROPOSED AMENDMENTS TO FIRST ENGROSSMENT

### ENGROSSED SENATE BILL NO. 2156

Introduced by

Senator Cleary

1 A BILL for an Act to create and enact chapter 16.1-08.2 of the North Dakota Century Code,  
2 relating to campaign disclosure statements; to amend and reenact sections 15.1-09-08,  
3 15.1-09-19, 16.1-01-12, and 16.1-10-04.1, and subdivision f of subsection 8 of section 51-28-01  
4 of the North Dakota Century Code, relating to campaign disclosure statements; to repeal  
5 chapter 16.1-08.1 of the North Dakota Century Code, relating to campaign disclosure  
6 statements; and to provide a penalty; to provide for application; and to provide an effective date.

### 7 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

8 **SECTION 1. AMENDMENT.** Section 15.1-09-08 of the North Dakota Century Code is  
9 amended and reenacted as follows:

#### 10 **15.1-09-08. School district elections - Candidate filings.**

11 An individual seeking election to the board of a school district shall prepare and sign a  
12 document stating the individual's name and the position for which that individual is a candidate.  
13 A candidate shall also file a statement of interests as required by section 16.1-09-02. Whether  
14 or not the election is held in conjunction with a statewide election, all statements of interest  
15 must be filed with the school district business manager, or mailed to and in the possession of  
16 the business manager, by four p.m. of the sixty-fourth day before the election. A candidate shall  
17 also file a campaign contribution statement as required by section ~~16.1-08.1-02.3~~ 16.1-08.2-03.

18 **SECTION 2. AMENDMENT.** Section 15.1-09-19 of the North Dakota Century Code is  
19 amended and reenacted as follows:

1       **15.1-09-19. Duties of election officials - Other applicable statutes.**

2       Sections ~~16.1-08.1-03.3~~ ~~16.1-08.2-07~~ 16.1-08.2-08, 16.1-10-01, 16.1-10-06, 16.1-10-06.1,  
3       16.1-10-07, 16.1-10-08, 16.1-13-22, 16.1-13-23, 16.1-13-30, 16.1-15-01, 16.1-15-04, and  
4       16.1-16-04 apply to elections held under sections 15.1-09-09 and 15.1-09-11.

5       **SECTION 3. AMENDMENT.** Section 16.1-01-12 of the North Dakota Century Code is  
6       amended and reenacted as follows:

7       **16.1-01-12. Election offenses - Penalty.**

8       1. It is unlawful for an individual, measure committee as described in section  
9       ~~16.1-08.1-04~~ 16.1-08.2-01, or other organization to:

- 10       a. Fraudulently alter another individual's ballot, substitute one ballot for another, or  
11       otherwise defraud a voter of that voter's vote.
- 12       b. Cause a disturbance, breach the peace, or obstruct a qualified elector or a  
13       member of the election board on the way to or at a polling place.
- 14       c. Vote more than once in any election.
- 15       d. Knowingly vote in the wrong election precinct or district.
- 16       e. Disobey the lawful command of an election officer as defined in chapter 16.1-05.
- 17       f. Knowingly exclude a qualified elector from voting or knowingly allow an  
18       unqualified individual to vote.
- 19       g. Knowingly vote when not qualified to do so.
- 20       h. Sign an initiative, referendum, recall, or any other election petition when not  
21       qualified to do so.
- 22       i. Circulate an initiative, referendum, recall, or any other election petition not in its  
23       entirety or when unqualified to do so.
- 24       j. Pay or offer to pay any individual, measure committee, or other organization, or  
25       receive payment or agree to receive payment, on a basis related to the number  
26       of signatures obtained for circulating an initiative, referendum, or recall petition.
- 27       This subsection does not prohibit the payment of salary and expenses for  
28       circulation of the petition on a basis not related to the number of signatures  
29       obtained, as long as the circulators file the intent to remunerate before submitting  
30       the petitions and, in the case of initiative and referendum petitions, fully disclose  
31       all contributions received pursuant to chapter 16.1-08.1 16.1-08.2 to the

1 secretary of state upon submission of the petitions. The disclosure of  
2 contributions received under this section does not affect the requirement to file a  
3 pre-election report by individuals or organizations soliciting or accepting  
4 contributions for the purpose of aiding or opposing the circulation or passage of a  
5 statewide initiative or referendum petition or measure placed upon a statewide  
6 ballot by action of the legislative assembly under chapter ~~46.1-08.1~~16.1-08.2. Any  
7 signature obtained in violation of this subdivision is void and may not be counted.

8 k. Willfully fail to perform any duty of an election officer after having accepted the  
9 responsibility of being an election officer by taking the oath as prescribed in this  
10 title.

11 l. Willfully violate any rule adopted by the secretary of state pursuant to this title.

12 m. Willfully make any false canvass of votes, or make, sign, publish, or deliver any  
13 false return of an election, knowing the canvass or return to be false; or willfully  
14 deface, destroy, or conceal any statement or certificate entrusted to the  
15 individual's or organization's care.

16 n. Destroy ballots, ballot boxes, election lists, or other election supplies except as  
17 provided by law, or negatively impact the confidentiality, integrity, or availability of  
18 any system used for voting.

19 o. Sign a name other than that individual's own name to an initiative, referendum,  
20 recall, or any other election petition.

21 p. Willfully submit an initiative or referendum petition that contains one or more  
22 fraudulent signatures.

23 2. a. A violation of subdivisions b, e, f, or h through l of subsection 1 is a class A  
24 misdemeanor.

25 b. A violation of subdivisions a, c, d, g, or m of subsection 1 is a class C felony.

26 c. A violation of subdivision n of subsection 1 is a class C felony.

27 d. A violation of subdivision o of subsection 1 is a class A misdemeanor if an  
28 individual signs one or two names other than the individual's own name to a  
29 petition and is a class C felony if an individual signs more than two names other  
30 than the individual's own name to a petition.

- 1           e. An organization, as defined in section 12.1-03-04, that violates this section is  
2           subject to the organizational fines in section 12.1-32-01.1. The court in which the  
3           conviction is entered shall notify the secretary of state of the conviction and shall  
4           order the secretary of state to revoke the certificate of authority of any convicted  
5           organization or limited liability company. The organization may not reapply to the  
6           secretary of state for authorization to do business under any name for one year  
7           upon conviction of a class A misdemeanor and for five years upon conviction of a  
8           class C felony under this section, except an organization operating a signature  
9           gathering business, or similar enterprise, that violates subdivision p of  
10          subsection 1, and is convicted of fraud, is subject to a class A misdemeanor and  
11          may not reapply to the secretary of state for authorization to do business under  
12          any name for five years following the entry of judgment.
- 13          f. A violation of subdivision p of subsection 1 by any member of a measure  
14          committee, including an initiative or referendum sponsoring committee or an  
15          agent acting on behalf of, or in conjunction with, a measure committee for the  
16          purpose of collecting signatures for a petition under this chapter is subject to a  
17          civil penalty of not more than three thousand dollars. The civil penalty may be  
18          recovered in an action brought in the district court of Burleigh County by the  
19          attorney general.
- 20          g. An individual who is a member of an organization may be convicted of a violation  
21          as an accomplice under section 12.1-03-01.

- 22          3. Every act this chapter makes criminal when committed with reference to the election of  
23          a candidate is equally criminal when committed with reference to the determination of  
24          a question submitted to qualified electors to be decided by votes cast at an election.

25          **SECTION 4.** Chapter 16.1-08.2 of the North Dakota Century Code is created and enacted  
26          as follows:

27          **16.1-08.2-01. Definitions.**

- 28          1. "Affiliate" means an organization controlling, is controlled by, or is under common  
29          control with another organization. For purposes of this definition, control means the  
30          possession, direct or indirect, of the power to direct or cause the direction of the  
31          management and policies of an organization, whether through the ownership of voting

1           securities, by contract other than a commercial contract for goods or nonmanagement  
2           services, or otherwise. Control is presumed to exist if an organization, directly or  
3           indirectly, owns, controls, holds with the power to vote, or holds proxies representing  
4           fifty percent or more of the voting securities of any other organization.

5           2. "Association" means any club, association, union, brotherhood, fraternity, organization,  
6           or group of any kind of two or more persons, including labor unions, trade  
7           associations, professional associations, or governmental associations, which is united  
8           for any purpose, business, or object and which assesses any dues, membership fees,  
9           or license fees in any amount, or which maintains a treasury fund in any amount. The  
10          term does not include corporations, cooperative corporations, limited liability  
11          companies, political committees, or political parties.

12          3. "Conduit" means a person that is not a political party, political committee, or candidate  
13          and which receives a contribution of money and transfers the contribution to a  
14          candidate, political party, or political committee when the contribution is designated  
15          specifically for the candidate, political party, or political committee and the person has  
16          no discretion as to the recipient and the amount transferred. The term includes a  
17          transactional intermediary, including a credit card company or a money transfer  
18          service paying or transferring money to a candidate on behalf of another person.

19          4. "Contribution" means a gift, transfer, conveyance, provision, receipt, subscription,  
20          loan, advance, deposit of money, or anything of value, made for the purpose of  
21          influencing the nomination for election, or election, of any person to public office or  
22          aiding or opposing the circulation or passage of a statewide initiative or referendum  
23          petition or measure. The term also means a contract, promise, or agreement, express  
24          or implied, whether or not legally enforceable, to make a contribution for any of the  
25          above purposes. The term includes funds deposited by a candidate for public office or  
26          a political party or committee which are transferred or signed over to that candidate,  
27          party, or committee from another candidate, party, or political committee or other  
28          source including a conduit. The term "anything of value" includes any good or service  
29          of more than a nominal value. The term "nominal value" means the cost, price, or  
30          worth of the good or service is trivial, token, or of no appreciable value. The term  
31          "contribution" does not include:

- 1           a. A loan of money from a bank or other lending institution made in the regular
- 2           course of business.
- 3           b. Time spent by volunteer campaign or political party workers.
- 4           c. Money or anything of value deposited for commercial transactions, including
- 5           rents, advertising, or sponsorships made as a part of a fair market value
- 6           bargained-for exchange.
- 7           d. Money or anything of value deposited for anything other than a political purpose.
- 8           e. Products or services for which the actual cost or fair market value are reimbursed
- 9           by a payment of money.
- 10          f. An independent expenditure.
- 11          g. The value of advertising paid by a political party, multicandidate political
- 12          committee, or caucus which is in support of a candidate.
- 13          h. In-kind contributions from a candidate to the candidate's campaign.
- 14          5. "Cooperative corporations", "corporations", and "limited liability companies" are as
- 15          defined in this code, and for purposes of this chapter "corporations" includes nonprofit
- 16          corporations. However, if a political committee, the only purpose of which is accepting
- 17          contributions and making expenditures for a political purpose, incorporates for liability
- 18          purposes only, the committee is not considered a corporation for the purposes of this
- 19          chapter.
- 20          6. "Expenditure" means:
- 21           a. A gift, transfer, conveyance, provision, loan, advance, payment, distribution,
- 22           disbursement, outlay, or deposit of money or anything of value, except a loan of
- 23           money from a bank or other lending institution made in the regular course of
- 24           business, made for a political purpose or for the purpose of influencing the
- 25           passage or defeat of a measure.
- 26           b. A contract, promise, or agreement, express or implied, whether or not legally
- 27           enforceable, to make any expenditure.
- 28           c. The transfer of funds by a political committee to another political committee.
- 29           d. An independent expenditure.

1        7. "Expenditure ~~purpose~~categories" means the ~~type of expense for~~categories into which  
2        expenditures for a political purpose ~~occurred~~must be grouped for reports under this  
3        chapter. The expenditure categories are:

4        a. Advertising;

5        b. Campaign loan repayment;

6        c. Operations;

7        d. Political donations;

8        e. Travel;

9        f. Volunteer appreciation; and

10       g. Miscellaneous.

11       8. "Foreign national" means:

12       a. A government or country other than the United States.

13       b. A political party organized under the laws of a country other than the United  
14       States.

15       c. A corporation, partnership, association, organization, or other combination of  
16       persons organized under the laws of or having its principal place of business in a  
17       country other than the United States.

18       d. An individual with citizenship of a country other than the United States.

19       e. An individual who is not a citizen or national of the United States and is not  
20       admitted lawfully to the United States for permanent residence.

21       9. "Independent expenditure" means an expenditure made for a political purpose or for  
22       the purpose of influencing the passage or defeat of a measure if the expenditure is  
23       made without the express or implied consent, authorization, or cooperation of, and not  
24       in concert with or at the request or suggestion of, any candidate, committee, or  
25       political party.

26       10. "Patron" means a person who owns equity interest in the form of stock, shares, or  
27       membership or maintains similar financial rights in a cooperative corporation.

28       11. "Person" means an individual, partnership, political committee, association,  
29       corporation, cooperative corporation, limited liability company, or other organization or  
30       group of persons.

- 1       12. "Personal benefit" means a benefit to the candidate or another person which is not for  
2       a political purpose or related to a candidate's responsibilities as a public officeholder,  
3       and any other benefit that would convert a contribution to personal income.
- 4       13. "Political committee" means any committee, club, association, or other group of  
5       persons which receives contributions or makes expenditures for political purposes and  
6       includes:
- 7       a. A political action committee not connected to another organization and free to  
8       solicit funds from the general public, or derived from a corporation, cooperative  
9       corporation, limited liability company, affiliate, subsidiary, or an association  
10       soliciting or receives contributions from its employees or members or makes  
11       expenditures for political purposes on behalf of its employees or members;
- 12       b. A candidate committee established to support an individual candidate seeking  
13       public office which solicits or receives contributions for political purposes;
- 14       c. A political organization registered with the federal election commission, which  
15       solicits or receives contributions or makes expenditures for political purposes;
- 16       d. A multicandidate political committee, including a caucus, established to support  
17       multiple groups or slates of candidates seeking public office, which solicits or  
18       receives contributions for political purposes; and
- 19       e. A measure committee, including an initiative or referendum sponsoring  
20       committee at any stage of its organization, which solicits or receives contributions  
21       or makes expenditures for the purpose of supporting or opposing an initiative or  
22       referendum petition, or measure sought to be voted upon by the voters of the  
23       state, including any activities undertaken for the purpose of drafting an initiative  
24       or referendum petition, seeking approval of the secretary of state for the  
25       circulation of a petition, or seeking approval of the submitted petitions.
- 26       14. "Political party" means any association, committee, or organization which nominates a  
27       candidate for election to any office which may be filled by a vote of the electors of this  
28       state or any of its political subdivisions and whose name appears on the election ballot  
29       as the candidate of the association, committee, or organization.
- 30       15. "Political purpose" means any activity undertaken in support of or in opposition to the  
31       election or nomination of a candidate to public office and includes using "vote for".



"oppose", or any similar support or opposition language in any advertisement whether the activity is undertaken by a candidate, a political committee, a political party, or any person. The term includes paying any expenses related to the election or nomination of a candidate. The term does not include activities undertaken in the performance of a duty of a public office or any position taken in any bona fide news story, commentary, or editorial.

16. "Public office" means every office to which an individual can be elected by vote of the people under the laws of this state.

17. "Subsidiary" means an affiliate of a corporation under the control of the corporation directly or indirectly through one or more intermediaries.

18. "Ultimate and true source" means the person that knowingly contributed over two hundred fifty dollars solely to influence a statewide election or an election for the legislative assembly.

**16.1-08.2-02. General provisions.**

1. A political committee, except those defined in subdivision c of subsection 13 of section 16.1-08.2-01, shall register its name, mailing address, telephone number, and nongovernment issued electronic mail address, and its agent's name, mailing address, telephone number, and nongovernment issued electronic mail address, and a designation as to whether the committee is incorporated solely for the purpose of liability protection, with the secretary of state. A candidate who does not have a candidate committee shall register the candidate's name, mailing address, telephone number, and nongovernment issued electronic mail address with the secretary of state. If the candidate has an agent, the candidate also shall register the agent's name, mailing address, telephone number, and nongovernment issued electronic mail address with the secretary of state.

2. The registration required under this section for a candidate or political committee that has not previously registered with the secretary of state must be submitted within fifteen business days of the receipt deposit date of any contribution or expenditure made.

3. A candidate or political committee required to be registered under this section must register with the secretary of state each year during which the candidate holds public

1           office or during which the political committee receives contributions, makes  
2           expenditures for political purposes, or has a balance in the campaign account. An  
3           individual who no longer holds public office or an individual who no longer seeks public  
4           office must register with the secretary of state each year in which contributions are  
5           deposited, expenditures are made for political purposes, or a balance remains in the  
6           campaign account.

7           4. Any statement filed with the secretary of state under this chapter must be:

8           a. Filed electronically within the prescribed time and in the format established by the  
9           secretary of state. If the secretary of state does not receive a statement, an  
10          electronic duplicate of the statement must be filed promptly upon notice by the  
11          secretary of state of its nonreceipt. After a statement has been filed, the secretary  
12          of state may request or accept written clarification along with an amended  
13          statement from a candidate, political party, or political committee filing the  
14          statement when discrepancies, errors, or omissions on the statement are  
15          discovered by the secretary of state, the candidate, political party, or political  
16          committee filing the statement, or by any interested party reciting a lawful reason  
17          for requesting clarification and an amendment be made. When requesting an  
18          amended statement, the secretary of state shall establish a reasonable period of  
19          time, not to exceed ten days, agreed to by the candidate, political party, or  
20          political committee, for filing the amended statement with the secretary of state.  
21          b. Preserved by the secretary of state for a period of ten years from the date of the  
22          filing deadline. The statement must be considered a part of the public records of  
23          the secretary of state's office and must be open to public inspection on the  
24          internet.

25          5. In determining the amount of individual contributions from any contributor, all amounts  
26          deposited from the same contributor during the reporting period must be aggregated to  
27          report an overall total contribution for the purposes of the statements required by this  
28          chapter. Contributions made separately by different persons from joint accounts are  
29          considered separate contributions for reporting purposes.

- 1       6. In determining the amount of expenditures to any recipient, all expenditures to the  
2       same recipient during the reporting period must be aggregated to report an overall  
3       total expenditure for the purposes of the statements required by this chapter.
- 4       7. Contributions and expenditures which are ~~less than~~ two hundred fifty dollars ~~or less~~ in  
5       the aggregate are exempt ~~from open~~ records ~~requests~~ under chapter 44-04 and  
6       reported as part of aggregate totals only.
- 7       8. In reporting a contribution deposited through a conduit, a candidate, political party, or  
8       political committee shall list each reportable contribution identifying the person that  
9       submitted the contribution to the conduit and provide the required information  
10      regarding the contribution from that person rather than identifying the conduit as the  
11      contributor.
- 12      9. A political committee organizing and registering according to federal law that makes an  
13      independent expenditure or makes a disbursement in excess of two hundred fifty  
14      dollars to a nonfederal candidate seeking public office, a political party, or political  
15      committee in this state is not required to register as a political committee according to  
16      this section if the political committee reports according to section  
17      ~~16.1-08.2-06~~ 16.1-08.2-07.
- 18      10. To ensure accurate reporting and avoid commingling of campaign and personal funds,  
19      candidates shall use dedicated campaign accounts that are separate from any  
20      personal accounts.
- 21      11. Registration by a political committee under this section does not reserve the name for  
22      exclusive use nor does it constitute registration of a trade name under chapter 47-25.
- 23      12. A candidate or candidate committee for county office, city office, and school district  
24      office are exempt from registering and filing with the secretary of state. Any other  
25      person required to file a statement under this chapter shall file the statement with the  
26      secretary of state.
- 27      a. A candidate for city office in a city with a population under five thousand and a  
28      candidate committee for the candidate are exempt from this chapter. A candidate  
29      for school district office in a school district with a fall enrollment of fewer than  
30      one thousand students and a candidate committee for the candidate are exempt  
31      from this chapter.

b. A candidate for county office and a candidate committee for a candidate for county office shall file statements under this chapter with the county auditor. A candidate for city office and a candidate committee for a candidate for city office shall file statements under this chapter with the city auditor. A candidate for school district office and a candidate committee for a candidate for school district office shall file statements under this chapter with the school business manager.

**16.1-08.2-03. Pre-election, supplemental, and year-end campaign disclosure statement requirements for candidates, candidate committees, multicandidate committees, ~~political committees~~, and ~~nonstatewide~~ political parties.**

1. Before a primary or special election, and before and following a general election, a candidate or candidate committee formed on behalf of the candidate, a multicandidate political committee, ~~a political committee~~, or a ~~nonstatewide~~ political party soliciting or accepting contributions shall file a campaign disclosure statement ~~including all contributions and expenditures~~ from:

a. January first through April thirtieth before a primary election;

b. May first through September thirtieth before a general election;

c. October first through December thirty-first following a general election; and

d. January first through the fortieth day before a special election.

2. A candidate whose name is not on the ballot and who is not seeking election through write-in votes, the candidate's candidate committee, and a ~~nonstatewide~~ political party that has not endorsed or nominated any candidate in the election is not required to file a statement under ~~this~~ subsection 1, but is required to file a statement under subsection 7.

3. The statement before a primary, general, or special election under subsection 1 may be submitted for filing beginning on the day following the end of the reporting period and must be submitted before the eighth day following the reporting period. The statement following the general election may be submitted for filing beginning on January first and must be submitted before February first. ~~The~~

4. A statement filed under subsection 1 must include the following information:

a. For each ~~aggregated~~ contribution deposited ~~from a contributor which totals in excess of two hundred fifty dollars~~ during the reporting period, the:

- 1                   (1) Name and the city and state of the contributor;  
2                   (2) Total amount of the contribution; and  
3                   (3) Date the last contributed amount was deposited.

- 4           b. ~~For each expenditure during the reporting period, the:~~  
5           ~~(1) Name of the recipient and location of purchase;~~  
6           ~~(2) Total amount of the expenditure made to the recipient;~~  
7           ~~(3) Date of the expenditure; and~~  
8           ~~(4) Expenditure purpose.~~

9           ~~c. The total of all aggregated contributions and expenditures which total in excess~~  
10           ~~of two hundred fifty dollars during the reporting period and the aggregated total.~~

11           ~~c. The total of all contributions and expenditures which are deposited from~~  
12           ~~contributors that contributed two hundred and fifty dollars or less during the~~  
13           ~~reporting period.~~

14           d. A total of all expenditures made during the reporting period, separated into  
15           expenditure categories.

16           e. For a statewide candidate, a candidate committee formed on behalf of a  
17           statewide candidate, and a statewide multicandidate committee, or a political  
18           party, the balance of the campaign fund on the last day of the reporting period  
19           and the balance of the campaign fund on the first day of the reporting period.

20           2.5. The information provided to the secretary of state under subdivisions a through d of  
21           subsection 4 must be made publicly available through the format prescribed by the  
22           secretary of state. The information provided to the secretary of state under  
23           subdivision e of subsection 4 may not be made publicly available by the secretary of  
24           state.

25           6. Beginning on the day following the end of the reporting period May first before a  
26           primary election, October first before a general election, and thirty-nine days before a  
27           special election through the day before the election, a person filing a statement under  
28           subsection 1 must file a supplemental statement within forty-eight hours of the start of  
29           the day following the deposit date of a contribution or aggregate contribution from a  
30           contributor which is in excess of five hundred dollars. The statement must include the:

31           a. Name and the city and state of the contributor;

b. Total amount of the contribution deposited during the reporting period; and

c. Date the last contributed amount was deposited.

3.7. Before February first, a candidate whose name is not on the ballot and who is not seeking election through write-in votes, or ~~candidate~~the candidate's candidate committee, a multicandidate political committee, ~~a political committee~~, or a nonstatewide political party soliciting or accepting contributions not required to file a statement under subsection 1 shall file a campaign disclosure statement including all contributions deposited and expenditures from January first through December thirty-first of the previous year. The filer shall indicate on the report the corresponding reporting period, as described under subsection 1, in which each contribution was deposited and expenditure was made to determine whether the filer's aggregated totals exceed two hundred fifty dollars for the reporting period. The statement may be submitted for filing beginning on January first. The statement filed according to this section must include the following information:

~~a. For a candidate, a candidate committee formed on behalf of a candidate, a multicandidate committee, or political party, the balance of the campaign fund on January first and on December thirty-first.~~

~~b.~~ For each aggregated contribution deposited from a contributor which totals in excess of two hundred fifty dollars deposited during the reporting period, the:

(1) Name and the city and state of the contributor;

(2) Total amount of the contribution; and

(3) Date the last contributed amount was deposited.

~~c. For each expenditure during the reporting period, the:~~

~~(1) Name of the recipient and location of purchase;~~

~~(2) Total amount of the expenditure made to the recipient;~~

~~(3) Date of the expenditure; and~~

~~(4) Expenditure purpose.~~

~~d.b.~~ The total of all aggregated contributions and expenditures from contributors which total in excess of two hundred fifty dollars during the reporting period.

1 ~~e.c.~~ The aggregated total of contributions ~~and expenditures which are~~ deposited from  
2 contributors that contributed two hundred and fifty dollars or less during the  
3 reporting period.

4 d. A total of all expenditures made during the reporting period, separated into  
5 expenditure categories.

6 e. For a statewide candidate, a candidate committee formed on behalf of a  
7 statewide candidate, and a statewide multicandidate committee, the balance of  
8 the campaign fund on the last day of the reporting period.

9 ~~4.8.~~ The information provided to the secretary of state under subdivisions a through d of  
10 subsection 7 must be made publicly available through a format prescribed by the  
11 secretary of state. The information provided to the secretary of state under  
12 subdivision e of subsection 7 may not be made publicly available by the secretary of  
13 state.

14 9. Expenditures reported within a group of aggregated totals under this section are  
15 exempt from open records requests under chapter 44-04.

16 10. A person required to file a statement under this section shall report each aggregated  
17 contribution from a contributor which totals five thousand dollars or more during the  
18 reporting period. For these contributions from individuals, the statement must include  
19 the contributor's occupation, employer, and the employer's principal place of business.

20 **16.1-08.2-04. Pre-election, supplemental, and year-end campaign disclosure**  
21 **statement requirements for statewide political parties and certain political committees.**

22 1. Before a primary or special election, and before and following a general election, a  
23 statewide political party or a political committee not required to file under section  
24 16.1-08.2-03 which is soliciting or accepting contributions shall file a campaign  
25 disclosure statement including all contributions and expenditures from:

26 a. January first through April thirtieth before a primary election;

27 b. May first through September thirtieth before a general election;

28 c. October first through December thirty-first following a general election; and

29 d. January first through the fortieth day before a special election.

2. A political party that has not endorsed or nominated a candidate in the election or a political committee not soliciting or accepting contributions is not required to file a statement under subsection 1, but is required to file a statement under subsection 5.

3. The statement before a primary, general, or special election may be submitted for filing beginning on the day following the end of the reporting period and must be submitted before the eighth day following the reporting period. The statement following the general election may be submitted for filing beginning on January first and must be submitted before February first. The statement must include:

a. The total of all contributions and expenditures which total in excess of two hundred fifty dollars during the reporting period and the aggregated total of contributions and expenditures which are two hundred and fifty dollars or less during the reporting period.

b. The balance of the campaign fund on the last day of the reporting period and the balance of the campaign fund on the first day of the reporting period.

c. For each contribution deposited during the reporting period, the:

(1) Name and the city and state of the contributor;

(2) Total amount of the contribution; and

(3) Date the last contributed amount was deposited.

d. For each expenditure during the reporting period, the:

(1) Name of the recipient and location of purchase;

(2) Total amount of the expenditure made to the recipient;

(3) Date of the expenditure; and

(4) Expenditure category.

4. Beginning on May first before a primary election, October first before a general election, and thirty-nine days before a special election through the day before the election, a person filing a statement under subsection 1 shall file a supplemental statement within forty-eight hours of the start of the day following the deposit date of a contribution or aggregate contribution from a contributor which is in excess of five hundred dollars. The statement must include the:

a. Name and the city and state of the contributor;

b. Total amount of the contribution deposited during the reporting period; and



1       c.   Date the last contributed amount was deposited.

2       5.   Before February first, a statewide political party or a political committee that is not  
3       required to file a statement under subsection 1 shall file a campaign disclosure  
4       statement including all contributions deposited and expenditures from January first  
5       through December thirty-first of the previous year. The filer shall indicate on the report  
6       the corresponding reporting period, as described under subsection 1, for which each  
7       contribution was deposited and expenditure was made to determine whether the filer's  
8       aggregated totals exceed two hundred fifty dollars for the reporting period. The  
9       statement must include:

10       a.   The total of all contributions and expenditures which total in excess of  
11       two hundred fifty dollars during the reporting period and the aggregated total of  
12       contributions and expenditures which are two hundred and fifty dollars or less  
13       during the reporting period.

14       b.   The total of all aggregated expenditures from campaign funds reported in  
15       expenditure categories.

16       c.   The balance of the campaign fund on the last day of the reporting period and the  
17       balance of the campaign fund on the first day of the reporting period.

18       d.   For each contribution deposited during the reporting period, the:

19       (1)   Name and the city and state of the contributor;

20       (2)   Total amount of the contribution; and

21       (3)   Date the last contributed amount was deposited.

22       e.   For each expenditure during the reporting period, the:

23       (1)   Name of the recipient and location of purchase;

24       (2)   Total amount of the expenditure made to the recipient;

25       (3)   Date of the expenditure; and

26       (4)   Expenditure category.

27       6.   A person required to file a statement under this section shall report each aggregated  
28       contribution from a contributor which totals five thousand dollars or more during the  
29       reporting period. For these contributions from individuals, the statement must include  
30       the contributor's occupation, employer, and the employer's principal place of business.

7. A person filing a statement under this section shall file the statement with the secretary of state.

~~16.1-08.2-04~~16.1-08.2-05. Special requirements for state political parties.

1. State political parties shall establish separate and segregated accounts for the management of state nominating conventions. All revenue obtained and expenditures made for the planning and running of a state convention must be accounted for in these accounts.
2. A postconvention statement must be filed with the secretary of state sixty days after the close of the state nominating convention. The reporting period for the postconvention statement begins on the first day of January of the reporting year and ends thirty days after the close of the state nominating convention.
3. A year-end statement covering the entire calendar year must be filed with the secretary of state before February first of the following year even if no convention revenue was deposited or expenditures made within the calendar year.
4. The statement filed under this section must show:
  - a. The balance of the filer's convention accounts at the start and close of the reporting period.
  - b. The total of all revenue deposited and expenditures made of two hundred fifty dollars or less.
  - c. The total of all revenue deposited and expenditures made in excess of two hundred fifty dollars.
  - d. For revenues received and deposited, the:
    - (1) Name of each person providing the revenue;
    - (2) City and state of each person providing revenue;
    - (3) Date of the most recent ~~receipt~~deposit of revenue from each person providing revenue; and
    - (4) The purpose or purposes for which the revenue was deposited from each person.
  - e. For each expenditure made, the:
    - (1) Name of each person to which the expenditure was made;
    - (2) City and state of each person to which the expenditure was made;

(3) Date of the most recent expenditure made to each person or entity; and

(4) Purpose or purposes for which the aggregated expenditure total was  
disbursed to each person or entity.

f. The total of all contributions and expenditures which total in excess of  
two hundred fifty dollars during the reporting period.

g. The aggregated total of contributions and expenditures which are two hundred  
and fifty dollars or less during the reporting period.

h. For each aggregated revenue from an individual which totals five thousand  
dollars or more during the reporting period, the occupation, employer, and  
principal place of business of the individual.

5. If a net gain from the convention is transferred to the accounts established for the  
support of the nomination or election of candidates, the total transferred must be  
reported as a contribution in the statements required by section 16.1-08.2-03.

6. If a net loss from the convention is covered by a transfer from the accounts  
established for the support of the nomination or election of candidates, the total  
transferred must be reported as an expenditure in the statements required by section  
16.1-08.2-03.

7. A state political party or nonprofit entity affiliated with or under the control of a state  
political party, which receives a donation for purchasing, maintaining, or renovating a  
building, shall file a statement with the secretary of state before February first of each  
calendar year. Any income or financial gain generated from a building purchased,  
maintained, or renovated from donations must be deposited in the building fund and  
must be disclosed when the political party or nonprofit entity files the statement  
required under this section. Money in the fund may be used only by the state political  
party or nonprofit entity affiliated with or under the control of a state political party for  
purchasing, maintaining, or renovating a building, including the purchase of fixtures for  
the building. The statement may be submitted for filing beginning on January first and  
must include the:

a. Balance of the building fund on January first;

b. Name and the city and state of each donor;

c. Amount of each donation;

- d. Date each donation was deposited;
- e. Name and the city and state of each recipient of an expenditure;
- f. Amount of each expenditure;
- g. Date each expenditure was made; and
- h. Balance of the fund on December thirty-first.

**~~16.1-08.2-05~~16.1-08.2-06. Special requirements for statements required of persons engaged in activities regarding ballot measures.**

1. For each reportable contribution and expenditure under section ~~16.1-08.2-03~~16.1-08.2-04, the threshold for reporting is one hundred dollars for any person engaged in activities described in subdivision e of subsection 13 of section 16.1-08.2-01.
2. For contributions deposited from any contributor, a person engaged in activities described in subdivision e of subsection 13 of section 16.1-08.2-01 shall include the following information regarding each subcontributor that has stated a contribution is for the express purpose of furthering the passage or defeat of a ballot measure in the statements required under section ~~16.1-08.2-03~~16.1-08.2-04:
  - a. A designation as to whether any person contributed in excess of one hundred dollars of the total contribution;
  - b. The name and the city and state of each subcontributor contributing in excess of one hundred dollars of the total contribution;
  - c. The contribution amounts of each disclosed subcontributor; and
  - d. The occupation, employer, and address for the employer's principal place of business of each disclosed subcontributor.
3. A measure committee which is seeking approval for an initiative or referendum shall file a disclosure statement by the date the secretary of state approves the petition for circulation. Thereafter, the measure committee is required to file disclosure statements as directed by section ~~16.1-08.2-03~~16.1-08.2-04.
4. A measure committee that is seeking approval for an initiative or referendum shall file a statement regarding its intent to compensate circulators before paying for petitions to be circulated.

**16.1-08.2-0616.1-08.2-07. Special requirements for political committees organized and registered under federal law.**

1. A political committee organizing and registering according to federal law which makes an independent expenditure or makes a disbursement in excess of two hundred fifty dollars to a nonfederal candidate seeking public office or to a political party or political committee in this state shall file a copy of that portion of the committee's federal report detailing the independent expenditure or the disbursement made.
2. The political committee shall file a copy of the committee's federal report, and supplementary information as necessary under this section, with the secretary of state at the time of filing the report with the applicable federal agency. The report and supplementary information must include the:
  - a. Name, city and state, and treasurer of the political committee;
  - b. Recipient's name and mailing address;
  - c. Date and amount of the independent expenditure or disbursement; and
  - d. Ultimate and true source of funds listed by contributor and subcontributor for any amount over two hundred fifty dollars collected or used to make the independent expenditure or disbursement including the:
    - (1) Name, city and state, and treasurer of the political committee;
    - (2) Total amount of the contribution; and
    - (3) Date the last contribution was deposited.

**16.1-08.2-0716.1-08.2-08. Campaign contributions by corporations, cooperative corporations, limited liability companies, affiliates, subsidiaries, and associations - Penalty.**

1. A corporation, cooperative corporation, limited liability company, affiliate, subsidiary, or association may establish, administer, and solicit contributions to a separate and segregated fund to be used for political purposes by the corporation, cooperative corporation, limited liability company, affiliate, subsidiary, or association. It is unlawful for:
  - a. The person controlling the fund to make contributions or expenditures using money or anything of value secured by physical force, job discrimination, financial reprisals, or the threat of those actions; or use money from dues, fees,

1           treasury funds, or other money required as a condition of membership in an  
2           association, or as a condition of employment; or use money obtained in any  
3           commercial transaction. Moneys from fees, dues, treasury funds, or money  
4           obtained in a commercial transaction may, however, be used to pay costs of  
5           administration of the fund.

6           b. Any person soliciting an employee, stockholder, patron, board member, or  
7           member for a contribution to the fund to fail to inform the employee or member of  
8           the political purposes of the fund at the time of the solicitation or of the general  
9           political philosophy intended to be advanced through committee activities.

10          c. Any person soliciting an employee or member for a contribution to the fund to fail  
11          to inform the employee or member at the time of the solicitation of the right to  
12          refuse to contribute without any reprisal.

13          d. Any contribution to be accepted without keeping an accurate record of the  
14          contributor and amount contributed and of amounts expended for political  
15          purposes.

16          e. Any contribution to be accepted from any person not an employee, a stockholder,  
17          a patron, a board member or a member of the corporation, cooperative  
18          corporation, limited liability company, affiliate, subsidiary, or association  
19          maintaining the political action committee, except a corporation may accept a  
20          contribution from an employee, a stockholder, a patron, a board member, or a  
21          member of an affiliate or a subsidiary of the corporation.

22          f. Any expenditure made for political purposes to be reported under this section  
23          before control of the expenditure has been released by the political action  
24          committee except if there is a contract, a promise, or an agreement, expressed or  
25          implied, to make the expenditure.

26          2. A person may not make a payment of that person's money or of another person's  
27          money to any other person for a political purpose in any name other than that of the  
28          person supplying the money and a person may not knowingly receive the payment nor  
29          enter nor cause the payment to be entered in that person's account or record in any  
30          name other than that of the person by which it actually was furnished.

- 1       3. If an officer, employee, agent, attorney, or other representative of a corporation,  
2       cooperative corporation, limited liability company, affiliate, subsidiary, or association  
3       makes any contribution prohibited by this section out of corporate, cooperative  
4       corporation, limited liability company, affiliate, subsidiary, or association funds or  
5       otherwise violates this section, it is prima facie evidence of a violation by the  
6       corporation, cooperative corporation, limited liability company, affiliate, subsidiary, or  
7       association.
- 8       4. Corporations, cooperative corporations, limited liability companies, affiliates,  
9       subsidiaries, and associations may make expenditures and contributions for promoting  
10      any general political philosophy or belief deemed in the best interest of the employees,  
11      stockholders, patrons, or members of the corporation, cooperative corporation, limited  
12      liability company, affiliate, subsidiary, or association other than a "political purpose" as  
13      defined by this chapter. A corporation, cooperative corporation, limited liability  
14      company, affiliate, subsidiary, or association may not make a contribution for a political  
15      purpose.
- 16      5. A corporation, cooperative corporation, limited liability company, affiliate, subsidiary, or  
17      association may make a donation of property or money to a state political party or  
18      nonprofit entity affiliated with or under the control of a state political party for deposit in  
19      a separate and segregated building fund.
- 20      6. A corporation, cooperative corporation, limited liability company, affiliate, subsidiary, or  
21      association may make an expenditure to a measure committee for the purpose of  
22      promoting the passage or defeat of an initiated or referred measure or petition or make  
23      an expenditure to any other person making an independent expenditure. A  
24      corporation, cooperative corporation, limited liability company, affiliate, subsidiary, or  
25      association may make an independent expenditure for a political purpose, including  
26      political advertising in support of or opposition to a candidate, political committee, or a  
27      political party, or for the purpose of promoting passage or defeat of initiated or referred  
28      measures or petitions. The corporation, cooperative corporation, limited liability  
29      company, affiliate, subsidiary, or association shall file a statement disclosing any  
30      expenditure made under this subsection with the secretary of state within forty-eight  
31      hours after making the expenditure. The statement must include:

- 1           a. The full name of the corporation, cooperative corporation, limited liability
- 2           company, affiliate, subsidiary, or association;
- 3           b. The complete address of the corporation, cooperative corporation, limited liability
- 4           company, affiliate, subsidiary, or association;
- 5           c. The name of the recipient of the expenditure;
- 6           d. If the expenditure is related to a measure or petition, the title of the measure or
- 7           petition and whether the expenditure is made in support of or opposition to the
- 8           measure or petition;
- 9           e. If the expenditure is related to a measure, the election date on which the
- 10          measure either will appear or did appear on the ballot;
- 11          f. The amount of the expenditure;
- 12          g. The cumulative total amount of expenditures since the beginning of the calendar
- 13          year which are required to be reported under this subsection;
- 14          h. The telephone number and the printed name and signature of the individual
- 15          completing the statement, attesting to the statement being true, complete, and
- 16          correct; and
- 17          i. The date on which the statement was signed.
- 18        7. A violation of this section may be prosecuted in the county where the contribution is
- 19          made or in any county in which it has been paid or distributed.
- 20        8. It is a class A misdemeanor for an officer, director, stockholder, manager, governor,
- 21          member, attorney, agent, or representative of any corporation, cooperative
- 22          corporation, limited liability company, affiliate, subsidiary, or association to violate this
- 23          section or to counsel or consent to any violation. Any person that solicits or knowingly
- 24          receives any contribution in violation of this section is guilty of a class A misdemeanor.
- 25        9. Any officer, director, stockholder, manager, governor, member, attorney, agent, or
- 26          representative who makes, counsels, or consents to the making of a contribution in
- 27          violation of this section is liable to the company, corporation, limited liability company,
- 28          affiliate, subsidiary, or association for the amount so contributed.

~~16.1-08.2-08~~**16.1-08.2-09. Special requirements for conduits.**

A conduit transferring any contribution to a candidate, political party, or political committee shall provide the recipient of the contribution a detailed statement listing the name and address



1 of each individual contributor, the amount of each contribution, and the date each contribution  
2 was deposited. The conduit also shall include on the statement the occupation, employer, and  
3 principal place of business of each contributor, or the political committee if not already  
4 registered according to state or federal law, which contributed five thousand dollars or more in  
5 the aggregate during a reporting period applicable to the candidate, political party, or political  
6 committee. The conduit shall provide the statement to the candidate, political party, or political  
7 committee in a manner to allow the candidate, political party, or political committee to file any  
8 statement required to be filed under this chapter.

9 **~~16.1-08.2-09~~16.1-08.2-10. General prohibitions.**

- 10 1. A foreign national may not make or offer to make, directly or indirectly, a contribution  
11 or expenditure in connection with any election.
- 12 2. A candidate, candidate committee, ~~political committee~~, political party, or any other  
13 person may not solicit, accept, or receive, directly or indirectly, a contribution from a  
14 foreign national.
- 15 3. A candidate may not use any contribution deposited by the candidate, the candidate's  
16 candidate committee, or a multicandidate political committee to:
- 17 a. Give a personal benefit to the candidate or another person;  
18 b. Make a loan to another person;  
19 c. Knowingly pay more than the fair market value for goods or services purchased  
20 for the campaign; or  
21 d. Pay a criminal fine or civil penalty.
- 22 4. If the secretary of state has substantial reason to believe any person knowingly  
23 violated this section, the secretary shall arrange for an audit as authorized by section  
24 **~~16.1-08.2-10~~16.1-08.2-11.**
- 25 5. A person may not be excused from attending and testifying or producing any books,  
26 papers, or other documents before any court upon any investigation, proceeding, or  
27 trial for a violation of any of the provisions of this chapter, upon the grounds that the  
28 testimony or evidence, documentary or otherwise, required of the person may tend to  
29 incriminate or degrade the person. A person may not be prosecuted or subjected to  
30 any penalty or forfeiture for or on account of any transaction, matter, or thing  
31 concerning which the person may testify or produce evidence, documentary or

otherwise. Any testimony given or produced may not be used against the person in any criminal investigation or proceeding.

~~16.1-08.2-10~~**16.1-08.2-11. Audit by secretary of state.**

1. If a substantial irregularity is evident or reasonably alleged, the secretary of state may arrange an audit of any statement filed pursuant to this chapter, to be performed by a certified public accountant of the filer's choice, subject to approval by the secretary of state. If an audit of a statement arranged by the secretary of state under this subsection reveals a violation of this chapter, the candidate, political party, political committee, or other person filing the statement shall pay a fine to the secretary of state equal to two hundred percent of the aggregate of contributions and expenditures found to be in violation or an amount sufficient to pay the cost of the audit, whichever is greater. If an audit of a statement arranged by the secretary of state under this subsection does not reveal a violation of this chapter, the cost of the audit must be paid for by the secretary of state.

2. If a substantial irregularity is reasonably alleged, the secretary of state may arrange an audit of any statement filed pursuant to this chapter, performed by a certified public accountant of the filer's choice, subject to approval by the secretary of state, upon written request by any interested party made to the secretary of state within thirty days following receipt of a statement by the secretary of state. The request must be made in writing, recite a substantial irregularity and a lawful reason for requesting an audit, and be accompanied by a bond in an amount established by the secretary of state sufficient to pay the cost of the audit. If an audit of a statement arranged by the secretary of state under this subsection reveals a violation of this chapter, the candidate, political party, or political committee filing the statement shall pay a fine to the secretary of state equal to two hundred percent of the aggregate of contributions and expenditures found to be in violation or an amount sufficient to pay the cost of the audit, whichever is greater, and the bond must be returned to the person submitting it. If an audit of a statement arranged by the secretary of state under this subsection does not reveal a violation of this chapter, the cost of the audit must be satisfied from the bond filed with the secretary of state.

3. An audit may not be made or requested of a statement for the sole reason that it was not timely filed with the secretary of state. An audit made or arranged according to this section must audit only those items required to be included in any statement, registration, or report filed with the secretary of state according to this chapter. The secretary of state may collect any payment obligation arising out of this section by civil action or by assignment to a collection agency, with any costs of collection to be added to the amount owed and to be paid by the delinquent filer. Any remaining moneys collected by the secretary of state after an audit is paid for under this section must be deposited in the state's general fund. This section does not apply to statements filed by candidates or candidate committees for candidates for county, city, or school district offices.

**16.1-08.2-1116.1-08.2-12. Filing officer to charge and collect filing fees.**

1. If a statement or report required to be filed according to this chapter is not filed within the prescribed time, the filing officer to whom the report was to be filed is authorized to charge and collect a late fee as follows:

- a. Within six days after the prescribed time, ~~one hundred~~twenty-five dollars;
- b. Within ~~thirteen~~eleven days after the prescribed time, ~~two hundred fifty~~fifty dollars;
- and
- c. Thereafter, five hundred dollars.

2. ~~Any amendment filed by the candidate, candidate committee, multicandidate committee, political committee, or political party, or at the request of the filing officer, A~~ filing officer may require an amendment to be filed for any statement or report that is incorrect or incomplete. The amendment must be filed with the filing officer within ten business days after the amendment has been requested in writing. If an amendment is not filed within the prescribed time the filing officer ~~to whom the report was to be filed~~ is authorized to charge and collect a late fee as follows:

- a. Within six days after the ~~filing deadline, one hundred~~date the amendment was due, fifty dollars;
- b. Within eleven days after the ~~filing deadline, two hundred fifty~~date the amendment was due, one hundred dollars; and
- c. Thereafter, five hundred dollars.

3. Any fines paid under this section must be reported on the statement filed by the candidate, candidate committee, multicandidate committee, political committee, or political party. Any late fees levied by the secretary of state under this section and the identity of the person subject to a late fee must be made publicly available through the format prescribed by the secretary of state.

4. The filing officer may collect any payment obligation arising out of this section by civil action or by assignment to a collection agency, with any costs of collection to be added to the amount owed and to be paid by the delinquent filer.

~~16.1-08.2-12~~**16.1-08.2-13. Secretary of state to provide instruction and adjust thresholds for inflation.**

1. The secretary of state shall provide instructions and conduct training for the purpose of promoting uniform application of campaign finance and disclosure requirements and the uniform filing of statements, registrations, or reports according to this chapter.

2. The secretary of state shall adjust for inflation the reporting thresholds in this chapter by one hundred dollars once every ten years from the last calendar year of adjustment and inform persons submitting reports under this chapter of the adjustments. The secretary of state shall make the adjustments beginning January first of each adjustment year beginning January 1, 2026.

~~16.1-08.2-13~~**16.1-08.2-14. Penalty.**

Except as otherwise provided, any person who willfully violates any provision of this chapter is guilty of a class A misdemeanor.

**SECTION 5. AMENDMENT.** Section 16.1-10-04.1 of the North Dakota Century Code is amended and reenacted as follows:

**16.1-10-04.1. Certain political advertisements to disclose name of sponsor - Name disclosure requirements.**

Every political advertisement by newspaper, pamphlet or folder, display card, sign, poster, or billboard, website, or by any other similar public means, on behalf of or in opposition to any candidate for public office, designed to assist, injure, or defeat the candidate by reflecting upon the candidate's personal character or political action, or by a measure committee as described in section ~~16.1-08.1-04~~**16.1-08.2-01**, or a corporation making an independent expenditure either for or against a measure, must disclose on the advertisement the name of the person, as

defined in section ~~16.1-08.1-01~~16.1-08.2-01, or political party paying for the advertisement. If the name of a political party, association, or partnership is used, the disclaimer must also include the name of the chairman or other responsible individual from the political party, association, or partnership. The name of the person paying for any radio or television broadcast containing any advertising announcement for or against any candidate for public office must be announced at the close of the broadcast. If the name of a political party, association, or partnership is used, the disclaimer must also include the name of the chairman or other responsible individual from the political party, association, or partnership. In every political advertisement in which the name of the person paying for the advertisement is disclosed, the first and last name of any named individual must be disclosed. An advertisement paid for by an individual candidate or group of candidates must disclose that the advertisement was paid for by the individual candidate or group of candidates. The first and last name or names of the candidates paying for the advertisement are not required to be disclosed. This section does not apply to campaign buttons.

**SECTION 6. AMENDMENT.** Subdivision f of subsection 8 of section 51-28-01 of the North Dakota Century Code is amended and reenacted as follows:

- f. By or on behalf of a political party, candidate, or other group with a political purpose, as defined in section ~~16.1-08.1-01~~16.1-08.2-01, unless the communication is a text message.

**SECTION 7. REPEAL.** Chapter 16.1-08.1 of the North Dakota Century Code is repealed.

**SECTION 8. APPLICATION.** A person required to file a campaign disclosure statement under subsection 3 of section 16.1-08.1-02.1, section 16.1-08.1-02.2, subsection 3 of section 16.1-08.1-02.3, and subsection 3 of section 16.1-08.1-02.4, disclosing contributions received and expenditures made from January first through December thirty-first of 2025 shall file the statement pursuant to the statutory requirements under chapter 16.1-08.1 as it existed prior to its repeal.

**SECTION 9. EFFECTIVE DATE.** This Act becomes effective on January 1, 2026.