

HOUSE BILL NO. 1426

Introduced by

Representatives Grande, Belter, Herbel, Kingsbury

1 A BILL for an Act to amend and reenact subsection 11 of section 16.1-01-12, subsection 4 of
2 section 16.1-08.1-01, and sections 16.1-08.1-03.1 and 16.1-08.1-04 of the North Dakota
3 Century Code, relating to initiated or referred measure contribution statements definitions and
4 contribution reporting; and to repeal section 16.1-08.1-03.6 of the North Dakota Century Code,
5 relating to federal campaign committee contributions and contributions made to other
6 candidates.

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

8 **SECTION 1. AMENDMENT.** Subsection 11 of section 16.1-01-12 of the North Dakota
9 Century Code is amended and reenacted as follows:

10 11. Pay or offer to pay any person, or receive payment or agree to receive payment,
11 on a basis related to the number of signatures obtained for circulating an initiative,
12 referendum, or recall petition. This subsection does not prohibit the payment of
13 salary and expenses for circulation of the petition on a basis not related to the
14 number of signatures obtained, as long as the circulators file their intent to
15 remunerate prior to submitting the petitions and ~~fully disclose all expenditures and~~
16 ~~revenues upon submission of the petitions to the secretary of state, in the case of~~
17 initiative and referendum petitions, fully disclose all contributions received pursuant
18 to chapter 16.1-08.1 to the secretary of state.

19 **SECTION 2. AMENDMENT.** Subsection 4 of section 16.1-08.1-01 of the 1999
20 Supplement to the North Dakota Century Code is amended and reenacted as follows:

21 4. "Cooperative corporations", "corporations", and "limited liability companies" are as
22 defined in this code, and for purposes of this chapter "corporations" includes
23 nonprofit corporations.

1 **SECTION 3. AMENDMENT.** Section 16.1-08.1-03.1 of the North Dakota Century Code
2 is amended and reenacted as follows:

3 **16.1-08.1-03.1. Contributions statement required of persons promoting passage**
4 **or defeat of initiated or referred measure.**

- 5 1. Any person who is soliciting or accepting a contribution for the purpose of aiding or
6 opposing the circulation or passage of a statewide initiative or referendum petition
7 or measure placed upon a statewide ballot by action of the legislative assembly at
8 any election shall file a statement in accordance with this section if the person has
9 received any contributions from a person in excess of one hundred dollars. The
10 statement must include the name and mailing address of all contributors who
11 contributed in excess of one hundred dollars to the person, the amount of each
12 reportable contribution, and the date each reportable contribution was received.
- 13 2. ~~A person soliciting or accepting a contribution for the purpose of aiding the~~
14 ~~circulation of a statewide initiative or referendum petition or of promoting passage~~
15 ~~or defeat of any statewide initiated or referred measure~~ A person who is soliciting
16 or accepting a contribution for the purpose of aiding or opposing the circulation or
17 passage of a statewide initiative or referendum petition or measure placed upon a
18 statewide ballot by action of the legislative assembly may not accept a contribution
19 of more than one hundred dollars from a person who does not reside in this state
20 or from an out-of-state political committee unless the contribution is accompanied
21 by a certified statement from the contributor listing the name, address, and amount
22 contributed by each person who contributed more than one hundred dollars of the
23 contribution. The statement must indicate if no individual person contributed in
24 excess of one hundred dollars of the out-of-state person's or political committee's
25 overall contribution. The certified statement must also list the occupation,
26 employer, and principal place of business for each person who contributed more
27 than one hundred dollars of the contribution. The person soliciting or accepting a
28 contribution for the purpose of aiding the circulation of a statewide initiative or
29 referendum petition or of promoting passage or defeat of a statewide initiated or
30 referred measure must include this statement with the contribution statement
31 required to be filed under subsection 1.

1 3. The statement required of a person under subsection 1 must be filed with the
2 secretary of state no later than the twelfth day prior to the date of the election in
3 which the measure appears or would have appeared on the ballot complete from
4 the beginning of that calendar year through the twentieth day prior to the date of
5 the election. A complete statement for the entire calendar year must be filed no
6 later than the thirty-first day of January of the following year.

7 **SECTION 4. AMENDMENT.** Section 16.1-08.1-04 of the North Dakota Century Code
8 is amended and reenacted as follows:

9 **16.1-08.1-04. Supplemental statement required on large contributions received**
10 **after original statement - Filing time.** If any candidate, political party, committee, or person
11 soliciting or accepting contributions for the purpose of aiding the circulation of statewide
12 initiative or referendum petitions or of promoting passage or defeat of a statewide initiated or
13 referred measure receives any contribution in excess of five hundred dollars ~~or more~~ in the
14 twenty-day period prior to any election from any individual contributor, that candidate or person
15 shall make and file a supplemental statement in the same form as required by section
16 16.1-08.1-02 or 16.1-08.1-03.1, stating the name and street address of such contributor and the
17 amount of the contribution, and file the statement in the appropriate office within forty-eight
18 hours of the receipt of the contribution.

19 **SECTION 5. REPEAL.** Section 16.1-08.1-03.6 of the North Dakota Century Code is
20 repealed.