

**Sixtieth Legislative Assembly of North Dakota  
In Regular Session Commencing Wednesday, January 3, 2007**

HOUSE BILL NO. 1243  
(Representatives Kasper, Dosch, R. Kelsch)  
(Senators Cook, Klein, Wardner)

AN ACT to amend and reenact section 16.1-10-04 of the North Dakota Century Code, relating to publication of false information in political advertisements; and to provide a penalty.

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

**SECTION 1. AMENDMENT.** Section 16.1-10-04 of the North Dakota Century Code is amended and reenacted as follows:

**16.1-10-04. Publication of false information in political advertisements - Penalty.** ~~No A~~ A person ~~may~~ is guilty of a class A misdemeanor if that person knowingly sponsor, or with reckless disregard for its truth or falsity, publishes any political advertisement or news release that contains any assertion, representation, or statement of fact, including information concerning a candidate's prior public record, which ~~the sponsor knows to be~~ is untrue, deceptive, or misleading, whether on behalf of or in opposition to any candidate for public office, initiated measure, referred measure, constitutional amendment, or any other issue, question, or proposal on an election ballot, and whether ~~such~~ the publication is by radio, television, newspaper, pamphlet, folder, display cards, signs, posters, ~~or~~ billboard advertisements, electronic transmission, or by any other public means. ~~Any person who violates the provisions of this section is guilty of a class A misdemeanor.~~ This section does not apply to a newspaper, television or radio station, or other commercial medium that is not the source of the political advertisement or news release.

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Chief Clerk of the House

\_\_\_\_\_  
Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixtieth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1243.

House Vote:      Yeas    86      Nays    7      Absent    1

Senate Vote:    Yeas    34      Nays    12     Absent    1

\_\_\_\_\_  
Chief Clerk of the House

Received by the Governor at \_\_\_\_\_ M. on \_\_\_\_\_, 2007.

Approved at \_\_\_\_\_ M. on \_\_\_\_\_, 2007.

\_\_\_\_\_  
Governor

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 2007,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State