

Sixty-eighth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1529

Introduced by

Representatives Prichard, Bahl, Hoverson, J. Johnson, Koppelman, McLeod, Vetter

Senators Barta, Braunberger, Estenson, Magrum

1 A BILL ~~for an Act to provide for a legislative management study relating to state elections law~~ for
2 an Act to amend and reenact section 16.1-08.1-02.3 of the North Dakota Century Code, relating
3 to campaign disclosure statement requirements for candidate, candidate committees,
4 multicandidate committees, and nonstatewide political parties.

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

6 ~~SECTION 1. LEGISLATIVE MANAGEMENT STUDY-- STATE ELECTIONS LAW. During~~
7 ~~the 2023-24 interim, the legislative management shall consider studying the provisions of the~~
8 ~~North Dakota Century Code related to elections for purposes of eliminating duplicative~~
9 ~~provisions, clarifying inconsistent or unclear provisions, pursuing uniformity for required~~
10 ~~contribution and expenditure reports, and rearranging provisions in a logical order. The~~
11 ~~legislative management shall report its findings and recommendations, together with any~~
12 ~~legislation required to implement the recommendations, to the the sixty-ninth legislative~~
13 ~~assembly.~~

14 **SECTION 1. AMENDMENT.** Section 16.1-08.1-02.3 of the North Dakota Century Code is
15 amended and reenacted as follows:
16 **16.1-08.1-02.3. Pre-election, supplemental, and year-end campaign disclosure**
17 **statement requirements for candidates, candidate committees, multicandidate**
18 **committees, and nonstatewide political parties.**
19 1. ~~Prior to~~ Before the thirty-first day before a primary, general, or special election, a
20 candidate or candidate committee formed on behalf of the candidate, a multicandidate
21 political committee, or a political party other than a statewide political party soliciting or
22 accepting contributions shall file a campaign disclosure statement that includes all
23 contributions received from January first through the fortieth day before the election.
24 The statement also must include each aggregated expenditure over two hundred

1 dollars made in support of or in opposition to a candidate, political committee, or ballot
2 measure from January first through the fortieth day before the election. A candidate
3 whose name is not on the ballot and who is not seeking election through write-in
4 votes, the candidate's candidate committee, and a political party that has not endorsed
5 or nominated any candidate in the election is not required to file a statement under this
6 subsection. The statement may be submitted for filing beginning on the thirty-ninth day
7 before the election. The statement must include:

8 a. For each aggregated contribution from a contributor which totals ~~in excess~~
9 of more than two hundred dollars received during the reporting period:

- 10 (1) The name and mailing address of the contributor;
11 (2) The total amount of the contribution; and
12 (3) The date the last contributed amount was received;

13 b. The total of all aggregated contributions from contributors which total ~~in excess~~
14 of more than two hundred dollars during the reporting period;

15 c. The total of all contributions received from contributors that contributed two
16 hundred dollars or less each during the reporting period; ~~and~~

17 d. For a statewide candidate, a candidate committee formed on behalf of a
18 statewide candidate, and a statewide multicandidate committee, the balance of
19 the campaign fund on the fortieth day before the election and the balance of the
20 campaign fund on January first; and

21 e. For each aggregated expenditure in support of or in opposition to a candidate,
22 political committee, or ballot measure which totals more than two hundred dollars
23 expended during the reporting period:

- 24 (1) The name of each candidate, political committee, or ballot measure the
25 expenditure was intended to support or oppose;
26 (2) The total amount of the expenditure;
27 (3) The date the last expenditure was made; and
28 (4) Whether the expenditure was made in support of or opposition to the
29 candidate, political committee, or ballot measure.

30 2. Beginning on the thirty-ninth day before the election through the day before the
31 election, a person that files a statement under subsection 1 must file a supplemental

1 statement within forty-eight hours of the start of the day following the receipt of a
2 contribution or aggregate contribution from a contributor which is ~~in excess of~~more
3 than five hundred dollars or the making of an expenditure or aggregate expenditure in
4 support of or in opposition to a candidate, political committee, or ballot measure which
5 is more than five hundred dollars. The statement must include:

- 6 a. ~~The~~For a contribution, the name and mailing address of the contributor or for an
7 expenditure, the name of the candidate, political committee, or ballot measure
8 the expenditure was intended to support or oppose;
- 9 b. The total amount of the contribution received or expenditure made during the
10 reporting period; ~~and~~
- 11 c. ~~The~~For the contribution, the date the last contributed amount was received, or for
12 an expenditure, the date the last expenditure was made; and
- 13 d. For an expenditure, whether the expenditure was made in support of or in
14 opposition to the candidate, political committee, or ballot measure.

15 3. ~~Prior to~~Before February first, a candidate or candidate committee, a multicandidate
16 political committee, or a nonstatewide political party soliciting or accepting
17 contributions shall file a campaign disclosure statement that includes all contributions
18 received and expenditures, ~~by expenditure category,~~ made from January first through
19 December thirty-first of the previous year. The statement may be submitted for filing
20 beginning on January first. The statement must include:

- 21 a. For a statewide candidate, a candidate committee formed on behalf of a
22 statewide candidate, and a statewide multicandidate committee, the balance of
23 the campaign fund on January first and on December thirty-first;
- 24 b. For each aggregated contribution from a contributor which totals ~~in excess-~~
25 ~~of~~more than two hundred dollars received during the reporting period:
- 26 (1) The name and mailing address of the contributor;
- 27 (2) The total amount of the contribution; and
- 28 (3) The date the last contributed amount was received;
- 29 c. The total of all aggregated contributions from contributors which total ~~in excess-~~
30 ~~of~~more than two hundred dollars during the reporting period;

1 d. The total of all contributions received from contributors that contributed two
2 hundred dollars or less each during the reporting period; ~~and~~

3 e. The total of all other expenditures made during the previous year, separated into
4 expenditure categories; and

5 f. For each aggregated expenditure in support of or in opposition to a candidate,
6 political committee, or ballot measure which totals more than two hundred dollars
7 expended during the reporting period:

8 (1) The name of the candidate, political committee, or ballot measure the
9 expenditure was intended to support or oppose;

10 (2) The total amount of the expenditure;

11 (3) The date the last expenditure was made; and

12 (4) Whether the expenditure was made in support of or in opposition to the
13 candidate, political committee, or ballot measure.

14 4. A person required to file a statement under this section, other than a candidate for
15 judicial office, county office, or city office, or a candidate committee for a candidate
16 exempted under this subsection, shall report each aggregated contribution from a
17 contributor which totals five thousand dollars or more during the reporting period. For
18 these contributions from individuals, the statement must include the contributor's
19 occupation, employer, and the employer's principal place of business.

20 5. A candidate for city office in a city with a population under five thousand and a
21 candidate committee for the candidate are exempt from this section.

22 6. A candidate for county office and a candidate committee for a candidate for county
23 office shall file statements under this chapter with the county auditor. A candidate for
24 city office who is required to file a statement under this chapter and a candidate
25 committee for such a candidate shall file statements with the city auditor. Any other
26 person required to file a statement under this section shall file the statement with the
27 secretary of state.

28 7. The filing officer shall assess and collect fees for any reports filed after the filing
29 deadline.

- 1 8. To ensure accurate reporting and avoid commingling of campaign and personal funds,
- 2 candidates shall use dedicated campaign accounts that are separate from any
- 3 personal accounts.