

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1230

Page 1, line 17, remove "any"

Page 1, line 18, replace "member" with "the chairman"

Page 1, line 19, after "committee" insert "or an agent acting on behalf of, or in conjunction with a measure committee for the purpose of collecting signatures for a petition under this chapter"

Page 1, line 19, remove "invalid"

Page 1, line 20, after "petition" insert "having invalid signatures totaling thirty percent or more of the total number of signatures on the petition for a measure which ultimately is placed on the ballot"

Page 1, line 20, replace "not less than one thousand dollars" with "two dollars for each signature deemed invalid by the secretary of state"

Page 1, line 22, replace "that" with ", or an agent acting on behalf of, or in conjunction with a measure committee for the purpose of collecting signatures for a petition under this chapter, which"

Page 1, line 23, remove "invalid"

Page 1, line 23, after the underscored comma insert "having invalid signatures totaling thirty percent or more of the total number of signatures on the petition for a measure which ultimately is placed on the ballot,"

Page 1, line 24, after "and" insert ", if convicted of fraud,"

Page 1, line 24, after "conducting" insert "a signature gathering"

Renumber accordingly

Introduced by

Representatives Nathe, Bosch, Boschee, Dockter, Hagert, Heinert, Lefor, Stemen

Senators Hogue, Meyer, Patten

- 1 A BILL for an Act to amend and reenact section 16.1-01-10 of the North Dakota Century Code,
2 relating to invalid signatures on an initiated petition; and to provide a penalty.

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

4 **SECTION 1. AMENDMENT.** Section 16.1-01-10 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **16.1-01-10. Secretary of state to pass upon sufficiency of petitions - Method - Time**
7 **limit - Penalty.**

- 8 1. The secretary of state shall have a reasonable period, not to exceed thirty-five days, in
9 which to pass upon the sufficiency of any petition mentioned in section 16.1-01-09.
10 The secretary of state shall conduct a representative random sampling of the
11 signatures contained in the petitions by the use of questionnaires, postcards,
12 telephone calls, personal interviews, or other accepted information-gathering
13 techniques, or any combinations thereof, to determine the validity of the signatures.
14 Signatures determined by the secretary of state to be invalid may not be counted and
15 all violations of law discovered by the secretary of state must be reported to the
16 attorney general for prosecution.
17 2. In addition to the penalties prescribed in subsection 2 of section 16.1-01-12, any-
18 memberthe chairman of a measure committee, including an initiative or referendum
19 sponsoring committee or an agent acting on behalf of, or in conjunction with a
20 measure committee for the purpose of collecting signatures for a petition under this
21 chapter, who is found to have willfully submitted an invalid initiative or referendum
22 petition having invalid signatures totaling thirty percent or more of the total number of
23 signatures on the petition for a measure which ultimately is placed on the ballot, is

- 1 subject to a fine of not less than one thousand dollarstwo dollars for each signature
2 deemed invalid by the secretary of state.
3 3. In addition to the penalties prescribed in subsection 2 of section 16.1-01-12, a
4 measure committee, including an initiative or referendum sponsoring committee that
5 or an agent acting on behalf of, or in conjunction with a measure committee for the
6 purpose of collecting signatures for a petition under this chapter, which is found to
7 have willfully submitted an invalid initiative or referendum petition, having invalid
8 signatures totaling thirty percent or more of the total number of signatures on the
9 petition for a measure which ultimately is placed on the ballot, is subject to a fine of not
10 less than ten thousand dollars and, if convicted of fraud, is banned from conducting a
11 signature gathering business in North Dakota for five years following the entry of
12 judgment for the offense under section 16.1-01-12.