

**HOUSE BILL NO. 1230**

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 member of a measure committee, including an initiative or referendum sponsoring  
19 committee, who is found to have willfully submitted an invalid initiative or referendum  
20 petition, is subject to a fine of not less than one thousand dollars.

21 3. In addition to the penalties prescribed in subsection 2 of section 16.1-01-12, a  
22 measure committee, including an initiative or referendum sponsoring committee, or an  
23 entity or employee of an entity, acting on behalf of or in conjunction with a measure  
24 committee for the purpose of collecting signatures for a petition under this chapter, that

1           is found to have willfully submitted an invalid initiative or referendum petition, is subject  
2           to a fine of not less than ten thousand dollars and is banned from conducting business  
3           in North Dakota for five years following the entry of judgment for the offense under  
4           section 16.1-01-12.

5           4. Any member of a measure committee, including an initiative or referendum sponsoring  
6           committee, or an entity or employees of an entity, acting on behalf of or in conjunction  
7           with a measure committee for the purpose of collecting signatures for a petition under  
8           this chapter, may be held liable for civil damages associated with collecting invalid  
9           signatures and submitting an insufficient petition.