

FIRST ENGROSSMENT

ENGROSSED HOUSE BILL NO. 1204

Introduced by

Representatives Schatz, Dressler, Fisher, Frelich, Meier, Toman

Senators Luick, Van Oosting

1 A BILL for an Act to amend and reenact section 16.1-10-04 of the North Dakota Century Code,
2 relating to the publication of false information in political advertisements; and to provide a
3 penalty.

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

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

7 **16.1-10-04. Publication of false information in political advertisements - Penalty.**

- 8 1. A person is guilty of a class A misdemeanor if ~~that~~the person knowingly, or with
9 reckless disregard for its truth or falsity, publishes ~~anya~~any political advertisement or news
10 release ~~that contains any~~containing an assertion, representation, or statement of fact,
11 including information concerning a candidate's prior public record, which is untrue,
12 deceptive, or misleading, ~~whether~~ on behalf of or in opposition to any candidate for
13 public office, initiated measure, referred measure, constitutional amendment, or any
14 other issue, question, or proposal on an election ballot, and ~~whether the publication is~~
15 published by radio, television, newspaper, pamphlet, folder, display cards, signs,
16 posters, billboard advertisements, websites, electronic transmission, social media, or
17 ~~by any other public means~~ or commercial medium.
- 18 2. This section does not apply to a newspaper, television or radio station, or other
19 commercial medium that is not the source of the political advertisement or news
20 release.