

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO

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 ~~any~~a political advertisement or news
10 release ~~that contains any~~containing an assertion, representation, or a statement of
11 fact, ~~including information concerning a candidate's prior public record~~, which is
12 untrue, ~~deceptive, or misleading~~, whether on behalf of or in opposition to any
13 candidate for public office, initiated measure, referred measure, constitutional
14 amendment, or any other issue, question, or proposal on an election ballot, and
15 ~~whether the publication is published by radio, television, newspaper, pamphlet, folder,~~
16 ~~display cards, signs, posters, billboard advertisements, websites, electronic~~
17 ~~transmissions~~social media, or 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.