

2025 HOUSE FINANCE AND TAXATION

HB 1377

2025 HOUSE STANDING COMMITTEE MINUTES

Finance and Taxation Committee Room JW327E, State Capitol

HB 1377
1/20/2025

Relating to inflationary adjustments for campaign finance reporting thresholds; and to provide for retroactive application.

9:30 a.m. Chairman Headland opened the hearing.

Members Present: Chairman Headland, Representatives Anderson, Dockter, Dressler, Foss, Grueneich, Ista, Motschenbacher, Nehring, Olson, Steiner, Toman
Members Absent: Vice Chairman Hagert, Representative Porter

Discussion Topics:

- Contribution reporting
- Ethics Commission
- Current contribution compared to inflation today
- Past interest rates
- Increase incremental price

9:30 a.m. Representative Dan Ruby, District 38, ND Legislative Assembly, introduced the bill and submitted testimony #30131.

9:45 a.m. Micheal Howe, Secretary of State, stood for questions from the committee.

9:52 a.m. Chairman Headland closed the hearing.

Janae Pinks, Committee Clerk

ARTICLE XIV ETHICS COMMISSION

Section 1.

1. The people of North Dakota need information to choose candidates for office, vote on ballot measures, and ensure that their representatives are accountable. This transparency must be sufficient to enable the people to make informed decisions and give proper weight to different speakers and messages. The people therefore have the right to know in a timely manner the source, quantity, timing, and nature of resources used to influence any statewide election, election for the legislative assembly, statewide ballot-issue election, and state government action. This right is essential to the rights of free speech, assembly, and petition guaranteed by the First Amendment to the Constitution of the United States and shall be construed broadly.
2. The legislative assembly shall implement and enforce this section by enacting, no more than three years after the effective date of this article, laws that require prompt, electronically accessible, plainly comprehensible, public disclosure of the ultimate and true source of funds spent in any medium, in an amount greater than two hundred dollars, **adjusted for inflation**, to influence any statewide election, election for the legislative assembly, statewide ballot-issue election, or to lobby or otherwise influence state government action. The legislative assembly shall have an ongoing duty to revise these laws as necessary to promote the purposes of this section in light of changes in technology and political practices. The legislative assembly shall vest by law one or more entities with authority to implement, interpret, and enforce this section and legislation enacted thereunder. If the laws or rules enacted or an implementation, interpretation, or enforcement action taken under this section fail to fully vindicate the rights provided in this section, a resident taxpayer may bring suit in the courts of this state to enforce such rights.

Section 2.

1. A lobbyist may not knowingly give, offer, solicit, initiate, or facilitate a gift to a public official. A public official may not knowingly accept a gift from a lobbyist. These prohibitions do not apply if the lobbyist is an immediate family member of the public official. "Gift," as used in this subsection, means any item, service, or thing of value not given in exchange for fair market consideration, including gifts of travel or recreation. However, "gift" does not mean any purely informational material, campaign contribution, or, in order to advance opportunities for North Dakota residents to meet with public officials in educational and social settings inside the state, any item, service, or thing of value given under conditions that do not raise ethical concerns, as determined by rules adopted by the ethics commission. Such rules must be adopted within two years after the effective date of this article. So as to allow for the adoption of these rules, these prohibitions shall take effect two years after the effective date of this article. Appropriate civil and criminal sanctions for violations of this subsection shall be set by the legislative assembly.
2. An elected public official may not be a lobbyist while holding office or for two years after holding office. Appropriate civil and criminal sanctions for violations of this subsection shall be set by the legislative assembly.
3. A lobbyist may not knowingly deliver a campaign contribution made by another individual or entity. "Deliver," as used in this subsection, means to transport, transfer, or otherwise transmit, either physically or electronically. This prohibition does not apply to a person who delivers a campaign contribution to the person's own campaign, or to the campaign of the person's immediate family member. This prohibition shall not be interpreted to prohibit any person from making a campaign

2025 HOUSE STANDING COMMITTEE MINUTES

Finance and Taxation Committee Room JW327E, State Capitol

HB 1377
1/20/2025

Relating to inflationary adjustments for campaign finance reporting thresholds; and to provide for retroactive application.

11:38 a.m. Chairman Headland opened the meeting.

Members Present: Chairman Headland, Representatives Anderson, Dockter, Dressler, Foss, Grueneich, Ista, Motschenbacher, Nehring, Olson, Steiner, Toman
Members Absent: Vice Chairman Hagert, Representative Porter

Discussion Topics:

- Timeframe adjustments

11:38 a.m. Representative J. Olson suggested a time frame of every 8 years and to update for inflation.

11:42 a.m. Chairman Headland adjourned the meeting.

Janae Pinks, Committee Clerk

2025 HOUSE STANDING COMMITTEE MINUTES

Finance and Taxation Committee Room JW327E, State Capitol

HB 1377
1/21/2025

Relating to inflationary adjustments for campaign finance reporting thresholds; and to provide for retroactive application.

9:18 a.m. Chairman Headland opened the hearing.

Members Present: Chairman Headland, Representatives Anderson, Dockter, Dressler, Foss, Grueneich, Ista, Motschenbacher, Nehring, Olson, Steiner, Toman
Members Absent: Vice Chairman Hagert, Representative Porter

Discussion Topics:

- Proposed amendment
- \$100 over a ten year period
- Lesser time-frame

9:19 a.m. Representative Ista moved to amend LC# 25.0517.02001.

9:19 a.m. Representative J. Olson seconded the motion.

9:27 a.m. Voice vote - motion passed.

9:27 a.m. Representative J. Olson moved a Do Pass as Amended.

9:27 a.m. Representative Motschenbacher seconded the motion.

Representatives	Vote
Representative Headland	Y
Representative Hagert	AB
Representative D. Anderson	Y
Representative Dockter	Y
Representative Dressler	Y
Representative Grueneich	Y
Representative Motschenbacher	Y
Representative Nehring	Y
Representative J. Olson	Y
Representative Porter	AB
Representative Steiner	Y
Representative Toman	Y

Representative Foss	Y
Representative Ista	Y

9:27 a.m. Motion passed 12-0-2.

9:27 a.m. Representative Ista will carry the bill.

9:29 a.m. Chairman Headland closed the hearing.

Janae Pinks, Committee Clerk

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO

JB 1-21-25
1 of 10

HOUSE BILL NO. 1377

Introduced by

Representatives D. Ruby, Henderson, Kasper, Kempenich, Koppelman, Wolff

Senators Boehm, Hogue, Myrdal, Wobbema

1 A BILL for an Act to amend and reenact ~~section~~ subsection 17 of section 16.1-08.1-01,
2 subsection 4 of section 16.1-08.1-02.1, sections 16.1-08.1-02.3 and 16.1-08.1-02.4,
3 subsection 3 of section 16.1-08.1-03.2, sections 16.1-08.1-03.7 and 16.1-08.1-06.2,
4 subsection 11 of section 54-66-01, and section 54-66-02 of the North Dakota Century Code,
5 relating to inflationary adjustments for campaign finance reporting thresholds; ~~and to provide for~~
6 ~~retroactive application.~~

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

8 **SECTION 1. AMENDMENT.** Subsection 17 of section 16.1-08.1-01 of the North Dakota
9 Century Code is amended and reenacted as follows:

- 10 17. "Ultimate and true source" means the person that knowingly contributed over two
11 hundred fifty dollars solely to influence a statewide election or an election for the
12 legislative assembly.

13 **SECTION 2. AMENDMENT.** Subsection 4 of section 16.1-08.1-02.1 of the North Dakota
14 Century Code is amended and reenacted as follows:

- 15 4. The statement filed according to this section must show the following:
- 16 a. The balance of the filer's convention accounts at the start and close of the
- 17 reporting period;
- 18 b. The total of all revenue received and expenditures made of two hundred fifty
- 19 dollars, or less;

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- c. The total of all revenue received and expenditures made in excess of two hundred fifty dollars;
- d. For each aggregated revenue received from a person in excess of two hundred fifty dollars:
 - (1) The name of each person;
 - (2) The mailing address of each person;
 - (3) The date of the most recent receipt of revenue from each person; and
 - (4) The purpose or purposes for which the aggregated revenue total was received from each person;
- e. For each aggregated expenditure made to a person in excess of two hundred fifty dollars:
 - (1) The name of each person or entity;
 - (2) The mailing address of each person or entity;
 - (3) The date of the most recent expense made to each person or entity; and
 - (4) The purpose or purposes for which the aggregated expenditure total was disbursed to each person or entity; and
- f. For each aggregated revenue from an individual which totals five thousand dollars or more during the reporting period, the occupation, employer, and principal place of business of the individual must be disclosed.

SECTION 3. AMENDMENT. Section 16.1-08.1-02.3 of the North Dakota Century Code is amended and reenacted as follows:

16.1-08.1-02.3. Pre-election, supplemental, and year-end campaign disclosure statement requirements for candidates, candidate committees, multicandidate committees, and nonstatewide political parties.

1. Prior to the thirty-first day before a primary, general, or special election, a candidate or candidate committee formed on behalf of the candidate, a multicandidate political committee, or a political party other than a statewide political party soliciting or accepting contributions shall file a campaign disclosure statement that includes all contributions received from January first through the fortieth day before the election. A candidate whose name is not on the ballot and who is not seeking election through write-in votes, the candidate's candidate committee, and a political party that has not

1 endorsed or nominated any candidate in the election is not required to file a statement
2 under this subsection. The statement may be submitted for filing beginning on the
3 thirty-ninth day before the election. The statement must include:

4 a. For each aggregated contribution from a contributor which totals in excess of two
5 hundred fifty dollars received during the reporting period:

- 6 (1) The name and mailing address of the contributor;
7 (2) The total amount of the contribution; and
8 (3) The date the last contributed amount was received;

9 b. The total of all aggregated contributions from contributors which total in excess of
10 two hundred fifty dollars during the reporting period;

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

13 d. For a statewide candidate, a candidate committee formed on behalf of a
14 statewide candidate, and a statewide multicandidate committee, the balance of
15 the campaign fund on the fortieth day before the election and the balance of the
16 campaign fund on January first.

17 2. Beginning on the thirty-ninth day before the election through the day before the
18 election, a person that files a statement under subsection 1 must file a supplemental
19 statement within forty-eight hours of the start of the day following the receipt of a
20 contribution or aggregate contribution from a contributor which is in excess of five
21 hundred dollars. The statement must include:

- 22 a. The name and mailing address of the contributor;
23 b. The total amount of the contribution received during the reporting period; and
24 c. The date the last contributed amount was received.

25 3. Prior to February first, a candidate or candidate committee, a multicandidate political
26 committee, or a nonstatewide political party soliciting or accepting contributions shall
27 file a campaign disclosure statement that includes all contributions received and
28 expenditures, by expenditure category, made from January first through December
29 thirty-first of the previous year. The statement may be submitted for filing beginning on
30 January first. The statement must include:

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- 1 a. For a statewide candidate, a candidate committee formed on behalf of a
- 2 statewide candidate, and a statewide multicandidate committee, the balance of
- 3 the campaign fund on January first and on December thirty-first;
- 4 b. For each aggregated contribution from a contributor which totals in excess of two
- 5 hundred fifty dollars received during the reporting period:
- 6 (1) The name and mailing address of the contributor;
- 7 (2) The total amount of the contribution; and
- 8 (3) The date the last contributed amount was received;
- 9 c. The total of all aggregated contributions from contributors which total in excess of
- 10 two hundred fifty dollars during the reporting period;
- 11 d. The total of all contributions received from contributors that contributed two
- 12 hundred fifty dollars or less each during the reporting period; and
- 13 e. The total of all other expenditures made during the previous year, separated into
- 14 expenditure categories.
- 15 4. A person required to file a statement under this section, other than a candidate for
- 16 judicial office, county office, city office, or school district office, or a candidate
- 17 committee for a candidate exempted under this subsection, shall report each
- 18 aggregated contribution from a contributor which totals five thousand dollars or more
- 19 during the reporting period. For these contributions from individuals, the statement
- 20 must include the contributor's occupation, employer, and the employer's principal
- 21 place of business.
- 22 5. A candidate for city office in a city with a population under five thousand and a
- 23 candidate committee for the candidate are exempt from this section. A candidate for
- 24 school district office in a school district with a fall enrollment of fewer than
- 25 one thousand students and a candidate committee for the candidate are exempt from
- 26 this section.
- 27 6. A candidate for county office and a candidate committee for a candidate for county
- 28 office shall file statements under this chapter with the county auditor. A candidate for
- 29 city office who is required to file a statement under this chapter and a candidate
- 30 committee for such a candidate shall file statements with the city auditor. A candidate
- 31 for school district office who is required to file a statement under this chapter and a

1 candidate committee for such a candidate shall file statements with the school district
2 business manager. Any other person required to file a statement under this section
3 shall file the statement with the secretary of state.

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

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

9 **SECTION 4. AMENDMENT.** Section 16.1-08.1-02.4 of the North Dakota Century Code is
10 amended and reenacted as follows:

11 **16.1-08.1-02.4. Pre-election, supplemental, and year-end campaign disclosure**
12 **statement requirements for statewide political parties and certain political committees.**

13 1. Prior to the thirty-first day before a primary, general, or special election, a statewide
14 political party or a political committee not required to file statements under section
15 16.1-08.1-02.3 which is soliciting or accepting contributions shall file a campaign
16 disclosure statement that includes all contributions received and expenditures made
17 from January first through the fortieth day before the election. A political party that has
18 not endorsed or nominated a candidate in an election is not required to file a
19 statement under this subsection. A statement required to be filed under this subsection
20 may be submitted for filing beginning on the thirty-ninth day before the election. The
21 statement must include:

- 22 a. For each aggregated contribution from a contributor which totals in excess of two
23 hundred fifty dollars received during the reporting period:
- 24 (1) The name and mailing address of the contributor;
 - 25 (2) The total amount of the contribution; and
 - 26 (3) The date the last contributed amount was received;
- 27 b. The total of all aggregated contributions from contributors which total in excess of
28 two hundred fifty dollars during the reporting period;
- 29 c. The total of all contributions received from contributors that contributed two
30 hundred fifty dollars or less each during the reporting period;

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- 1 d. For each recipient of an expenditure from campaign funds in excess of two
- 2 hundred fifty dollars in the aggregate:
- 3 (1) The name and mailing address of the recipient;
- 4 (2) The total amount of the expenditure made to the recipient; and
- 5 (3) The date the last expended amount was made to the recipient;
- 6 e. The aggregate total of all expenditures from campaign funds in excess of two
- 7 hundred fifty dollars;
- 8 f. The aggregate total of all expenditures from campaign funds of two hundred fifty
- 9 dollars or less; and
- 10 g. The balance of the campaign fund on the fortieth day before the election and
- 11 balance of the campaign fund on January first.
- 12 2. Beginning on the thirty-ninth day before the election through the day before the
- 13 election, a person that files a statement under subsection 1 must file a supplemental
- 14 statement within forty-eight hours of the start of the day following the receipt of a
- 15 contribution or aggregate contribution from a contributor which is in excess of five
- 16 hundred dollars. The statement must include:
- 17 a. The name and mailing address of the contributor;
- 18 b. The total amount of the contribution received during the reporting period; and
- 19 c. The date the last contributed amount was received.
- 20 3. Prior to February first, a statewide political party or a political committee that is not
- 21 required to file a statement under section 16.1-08.1-2.3 shall file a campaign
- 22 disclosure statement that includes all contributions received and expenditures made
- 23 from January first through December thirty-first of the previous year. The statement
- 24 may be submitted for filing beginning on January first. The statement must include:
- 25 a. For each aggregated contribution from a contributor which totals in excess of two
- 26 hundred fifty dollars received during the reporting period:
- 27 (1) The name and mailing address of the contributor;
- 28 (2) The total amount of the contribution; and
- 29 (3) The date the last contributed amount was received;
- 30 b. The total of all aggregated contributions from contributors which total in excess of
- 31 two hundred fifty dollars during the reporting period;

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- 1 c. The total of all contributions received from contributors that contributed two
- 2 hundred fifty dollars or less each during the reporting period;
- 3 d. For each recipient of an expenditure from campaign funds in excess of two
- 4 hundred fifty dollars in the aggregate:
- 5 (1) The name and mailing address of the recipient;
- 6 (2) The total amount of the expenditure made to the recipient; and
- 7 (3) The date the last expended amount was made to the recipient;
- 8 e. The aggregate total of all expenditures from campaign funds in excess of two
- 9 hundred fifty dollars;
- 10 f. The aggregate total of all expenditures from campaign funds of two hundred fifty
- 11 dollars or less; and
- 12 g. The balance of the campaign fund on January first and December thirty-first.
- 13 4. A person required to file a statement under this section shall disclose each aggregated
- 14 contribution from a contributor which totals five thousand dollars or more during the
- 15 reporting period. For these contributions from individuals, the statement must include
- 16 the contributor's occupation, employer, and the employer's principal place of business.
- 17 5. Statements under this section must be filed with the secretary of state.
- 18 6. The secretary of state shall assess and collect fees for any reports filed after the filing
- 19 deadline.

20 **SECTION 5. AMENDMENT.** Subsection 3 of section 16.1-08.1-03.2 of the North Dakota
21 Century Code is amended and reenacted as follows:

- 22 3. A political committee that organizes and registers according to federal law and makes
- 23 an independent expenditure or makes a disbursement in excess of two hundred fifty
- 24 dollars to a nonfederal candidate seeking public office, a political party, or political
- 25 committee in this state is not required to register as a political committee according to
- 26 this section if the political committee reports according to section 16.1-08.1-03.7.

27 **SECTION 6. AMENDMENT.** Section 16.1-08.1-03.7 of the North Dakota Century Code is
28 amended and reenacted as follows:

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16.1-08.1-03.7. Political committees that organize and register according to federal law that make independent expenditures or disbursements to nonfederal candidates, political parties, and political committees.

A political committee that organizes and registers according to federal law and makes an independent expenditure or makes a disbursement in excess of two hundred fifty dollars to a nonfederal candidate seeking public office or to a political party or political committee in this state shall file a copy of that portion of the committee's federal report detailing the independent expenditure or the disbursement made. The political committee shall file a copy of the committee's federal report, and supplementary information as necessary under this section, with the secretary of state at the time of filing the report with the applicable federal agency. The report and supplementary information must include:

1. The name, mailing address, and treasurer of the political committee;
2. The recipient's name and mailing address;
3. The date and amount of the independent expenditure or disbursement; and
4. The ultimate and true source of funds listed by contributor and subcontributor of any amount over two hundred fifty dollars collected or used to make the independent expenditure or disbursement including:
 - a. The name and address of the contributor;
 - b. The total amount of the contribution; and
 - c. The date the last contribution was received.

SECTION 7. AMENDMENT. Section 16.1-08.1-06.2 of the North Dakota Century Code is amended and reenacted as follows:

16.1-08.1-06.2. Secretary of state to provide instructions, make adjustments for inflation, and conduct training.

1. The secretary of state shall provide instructions and conduct training for the purpose of promoting uniform application of campaign finance and disclosure requirements and the uniform filing of statements, registrations, or reports according to this chapter.
2. The secretary ~~also of state~~ shall ~~determine adjustments~~ adjust for inflation ~~of the~~ reporting thresholds in this chapter by one hundred dollars once every ten years from the last calendar year of adjustment and instruct persons submitting reports under this chapter of the adjustments. ~~On~~ The secretary of state shall make the adjustment by

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January first of each adjustment year, ~~the secretary of state shall determine whether the accumulated change in the consumer price index for all urban consumers (all items, United States city average) since the date of last adjustment, as applied to each reporting threshold in this chapter, would result in an adjustment of at least tenfive dollars of the threshold in effect on that date. If so, the secretary of state shall deem the reporting threshold adjusted by tenfive dollars.~~

~~**SECTION 7. RETROACTIVE APPLICATION.** The secretary of state shall adjust the reporting threshold for persons submitting reports under section 16.1-08.1-06.2 based on the consumer price index for all urban consumers (all items, United States city average) on January 5, 2021, to account for the required adjustments under Section 16.1-08.1-06.2 between January 5, 2021, and the effective date of this Act.~~

SECTION 8. AMENDMENT. Subsection 11 of section 54-66-01 of the North Dakota Century Code is amended and reenacted as follows:

11. "Ultimate and true source" means the person that knowingly contributed over two hundred fifty dollars solely to lobby or influence state government action.

SECTION 9. AMENDMENT. Section 54-66-02 of the North Dakota Century Code is amended and reenacted as follows:

54-66-02. Disclosure of ultimate and true source of funds.

1. A lobbyist who expends an amount greater than two hundred fifty dollars to lobby shall file with the secretary of state a report that includes the known ultimate and true source of funds for the expenditure. The report must be filed with the lobbyist expenditure report required under subsection 2 of section 54-05.1-03.
2. A person that expends an amount greater than two hundred fifty dollars, not including the individual's own travel expenses and membership dues, to influence state government action shall file with the secretary of state a report including the known ultimate and true source of funds for the expenditure. A report under this subsection must be filed on or before the August first following the date of the expenditure. The secretary of state shall provide a form for reports under this subsection and make the form electronically accessible to the public. The secretary of state also shall charge and collect fees for late filing of the reports as follows:
 - a. Twenty-five dollars for a report filed within sixty days after the deadline; or

1 b. Fifty dollars for a report filed more than sixty days after the deadline.

2 3. The secretary of state shall compile the reports required under this section and make
3 the reports electronically accessible to the public.

4 4. A resident taxpayer may commence an action in a district court of this state against a
5 person required to comply with this section to compel compliance if all other
6 enforcement measures under this chapter have been exhausted and the taxpayer
7 reasonably believes the person has failed to comply with this section.

8 5. The secretary of state shall determine adjustments for inflation of the reporting
9 thresholds in this section and instruct persons submitting reports under this section of
10 the adjustments. On January first of each year, the secretary shall determine whether
11 the accumulated change in the consumer price index for all urban consumers (all
12 items, United States city average), as applied to each reporting threshold in this
13 section, would result in an adjustment of at least ten dollars of the threshold in effect
14 on that date. If so, the secretary of state shall deem the reporting threshold adjusted
15 by ten dollars.

**REPORT OF STANDING COMMITTEE
HB 1377**

Finance and Taxation Committee (Rep. Headland, Chairman) recommends **AMENDMENTS** ([25.0517.02001](#)) and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1377 was placed on the Sixth order on the calendar.

2025 SENATE STATE AND LOCAL GOVERNMENT

HB 1377

2025 SENATE STANDING COMMITTEE MINUTES

State and Local Government Committee
Room JW216, State Capitol

HB 1377
3/13/2025

Relating to inflationary adjustments for campaign finance reporting thresholds.

9:30 a.m. Chair Roers called the hearing to order.

Members Present: Chairman Roers; Vice Chair Castaneda; Senators: Barta, Braunberger, Lee and Walen.

Discussion Topics:

- Assessment each year
- Clarification of "intent"
- Effective date

9:30 a.m. Representative Ruby, District #38, introduced the bill and submitted testimony #41359.

9:41 a.m. Erika White, State Election Director Office of the Secretary of State, testified in favor and submitted testimony #41228.

9:43 a.m. Chair Roers closed the hearing.

Susan Helbling, Committee Clerk



HOUSE BILL NO. 1377

MARCH 13, 2025

SENATE STATE AND LOCAL GOVERNMENT COMMITTEE
SENATOR KRISTEN ROERS, CHAIR

TESTIMONY PRESENTED BY

ERIKA WHITE, STATE ELECTION DIRECTOR

Chairman Roers and members of the committee, I'm Erika White and I serve as State Election Director for the Office of the Secretary of State. I'm here today seeking your support of HB 1377.

The Office of the Secretary of State supports the increased fees outlined in this bill, as well as the plan provided for future inflationary increases. We are also working with the House related to changes in the campaign finance statutes in SB 2156 and wanted to reflect that the fees in that bill have been changed to match those suggested in HB 1377.

We are requesting one amendment to this bill which is related to an update to our campaign finance system which is currently in development. That system is scheduled to launch in January 2026, and we are asking for a new section which includes an effective date of campaign finance filings occurring after December 31, 2025. That amendment is provided for your consideration below.

With that I ask for your support of HB 1377 and will stand for any questions.

PROPOSED AMENDMENT TO ENGROSSED HOUSE BILL NO. 1377

Insert a new section on page 10, after line 2, add the following:

SECTION 10. EFFECTIVE DATE. This Act is effective January 1, 2026.

ARTICLE XIV ETHICS COMMISSION

Section 1.

1. The people of North Dakota need information to choose candidates for office, vote on ballot measures, and ensure that their representatives are accountable. This transparency must be sufficient to enable the people to make informed decisions and give proper weight to different speakers and messages. The people therefore have the right to know in a timely manner the source, quantity, timing, and nature of resources used to influence any statewide election, election for the legislative assembly, statewide ballot-issue election, and state government action. This right is essential to the rights of free speech, assembly, and petition guaranteed by the First Amendment to the Constitution of the United States and shall be construed broadly.
2. The legislative assembly shall implement and enforce this section by enacting, no more than three years after the effective date of this article, laws that require prompt, electronically accessible, plainly comprehensible, public disclosure of the ultimate and true source of funds spent in any medium, in an amount greater than two hundred dollars, **adjusted for inflation**, to influence any statewide election, election for the legislative assembly, statewide ballot-issue election, or to lobby or otherwise influence state government action. The legislative assembly shall have an ongoing duty to revise these laws as necessary to promote the purposes of this section in light of changes in technology and political practices. The legislative assembly shall vest by law one or more entities with authority to implement, interpret, and enforce this section and legislation enacted thereunder. If the laws or rules enacted or an implementation, interpretation, or enforcement action taken under this section fail to fully vindicate the rights provided in this section, a resident taxpayer may bring suit in the courts of this state to enforce such rights.

Section 2.

1. A lobbyist may not knowingly give, offer, solicit, initiate, or facilitate a gift to a public official. A public official may not knowingly accept a gift from a lobbyist. These prohibitions do not apply if the lobbyist is an immediate family member of the public official. "Gift," as used in this subsection, means any item, service, or thing of value not given in exchange for fair market consideration, including gifts of travel or recreation. However, "gift" does not mean any purely informational material, campaign contribution, or, in order to advance opportunities for North Dakota residents to meet with public officials in educational and social settings inside the state, any item, service, or thing of value given under conditions that do not raise ethical concerns, as determined by rules adopted by the ethics commission. Such rules must be adopted within two years after the effective date of this article. So as to allow for the adoption of these rules, these prohibitions shall take effect two years after the effective date of this article. Appropriate civil and criminal sanctions for violations of this subsection shall be set by the legislative assembly.
2. An elected public official may not be a lobbyist while holding office or for two years after holding office. Appropriate civil and criminal sanctions for violations of this subsection shall be set by the legislative assembly.
3. A lobbyist may not knowingly deliver a campaign contribution made by another individual or entity. "Deliver," as used in this subsection, means to transport, transfer, or otherwise transmit, either physically or electronically. This prohibition does not apply to a person who delivers a campaign contribution to the person's own campaign, or to the campaign of the person's immediate family member. This prohibition shall not be interpreted to prohibit any person from making a campaign

2025 SENATE STANDING COMMITTEE MINUTES

State and Local Government Committee Room JW216, State Capitol

HB 1377
4/22/2025

Relating to inflationary adjustments for campaign finance reporting thresholds.

3:15 p.m. Chair Roers called the hearing to order.

Members Present: Chairman Roers; Vice Chair Castaneda; Senators: Barta, Braunberger, Lee and Walen.

Discussion Topics:

- Thresholds adjust for inflation
- Federal PACs - clarify for Attorney General opinion
- Exempts Governor's Mansion

3:15 p.m. Chair Roers opened the hearing up for discussion on proposed amendment testimony #45129.

3:20 p.m. Dustin Richard, Legal Counsel Legislative Council, answered questions from the committee.

3:29 p.m. Michael Howe, ND Secretary of State, answered questions from the committee.

3:37 p.m. Senator Castaneda moved Amendment LC #25.0517.03002.

3:37 p.m. Senator Walen seconded the motion.

Senators	Vote
Senator Kristin Roers	Y
Senator Jose L. Castaneda	Y
Senator Jeff Barta	Y
Senator Ryan Braunberger	Y
Senator Judy Lee	Y
Senator Chuck Walen	Y

Motion Passed 6-0-0

3:38 p.m. Senator Walen moved Do Pass as amended.

3:38 p.m. Senator Barta seconded the motion.

Senators	Vote
Senator Kristin Roers	Y
Senator Jose L. Castaneda	Y
Senator Jeff Barta	Y

Senator Ryan Braunberger	Y
Senator Judy Lee	Y
Senator Chuck Walen	Y

Motion Passed 6-0-0

3:39 p.m. Senator Roers will carry the bill.

3:39 p.m. Chair Roers closed the hearing.

Susan Helbling, Committee Clerk

April 21, 2025

Sixty-ninth
Legislative Assembly
of North Dakota

**PROPOSED AMENDMENTS TO
FIRST ENGROSSMENT**

CO
4/22/25
10f35

ENGROSSED HOUSE BILL NO. 1377

Introduced by

Representatives D. Ruby, Henderson, Kasper, Kempenich, Koppelman, Wolff

Senators Boehm, Hogue, Myrdal, Wobbema

1 A BILL for an Act to create and enact chapter 16.1-08.2 of the North Dakota Century Code,
2 relating to campaign disclosure statements; to amend and reenact ~~subsection 17 of section~~
3 ~~16.1-08.1-01, subsection 4 of section 16.1-08.1-02.1, sections 16.1-08.1-02.3 and~~
4 ~~16.1-08.1-02.4, subsection 3 of section 16.1-08.1-03.2, sections 16.1-08.1-03.7 and~~
5 ~~16.1-08.1-06.2~~ 15.1-09-08, 15.1-09-19, and 16.1-01-12, subdivision b of subsection 2 of section
6 16.1-10-02, section 16.1-10-04.1, subdivision f of subsection 8 of section 51-28-01,
7 subsection 11 of section 54-66-01, and section 54-66-02 of the North Dakota Century Code,
8 relating to campaign disclosure statements, authorized use of state property for political
9 purposes, and inflationary adjustments for campaign finance reporting thresholds; to repeal
10 chapter 16.1-08.1 of the North Dakota Century Code, relating to campaign disclosure
11 statements; to provide a penalty; to provide for application; and to provide an effective date.

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

13 ~~SECTION 1. AMENDMENT. Subsection 17 of section 16.1-08.1-01 of the North Dakota~~
14 ~~Century Code is amended and reenacted as follows:~~

15 ~~17. "Ultimate and true source" means the person that knowingly contributed over two~~
16 ~~hundred fifty dollars solely to influence a statewide election or an election for the~~
17 ~~legislative assembly.~~

18 ~~SECTION 2. AMENDMENT. Subsection 4 of section 16.1-08.1-02.1 of the North Dakota~~
19 ~~Century Code is amended and reenacted as follows:~~

20 ~~4. The statement filed according to this section must show the following:~~

- 1 ~~a. The balance of the filer's convention accounts at the start and close of the~~
- 2 ~~reporting period;~~
- 3 ~~b. The total of all revenue received and expenditures made of two hundred fifty~~
- 4 ~~dollars, or less;~~
- 5 ~~c. The total of all revenue received and expenditures made in excess of two~~
- 6 ~~hundred fifty dollars;~~
- 7 ~~d. For each aggregated revenue received from a person in excess of two hundred~~
- 8 ~~fifty dollars:~~
- 9 ~~(1) The name of each person;~~
- 10 ~~(2) The mailing address of each person;~~
- 11 ~~(3) The date of the most recent receipt of revenue from each person; and~~
- 12 ~~(4) The purpose or purposes for which the aggregated revenue total was~~
- 13 ~~received from each person;~~
- 14 ~~e. For each aggregated expenditure made to a person in excess of two hundred fifty~~
- 15 ~~dollars:~~
- 16 ~~(1) The name of each person or entity;~~
- 17 ~~(2) The mailing address of each person or entity;~~
- 18 ~~(3) The date of the most recent expense made to each person or entity; and~~
- 19 ~~(4) The purpose or purposes for which the aggregated expenditure total was~~
- 20 ~~disbursed to each person or entity; and~~
- 21 ~~f. For each aggregated revenue from an individual which totals five thousand~~
- 22 ~~dollars or more during the reporting period, the occupation, employer, and~~
- 23 ~~principal place of business of the individual must be disclosed.~~
- 24 ~~**SECTION 3. AMENDMENT.** Section 16.1-08.1-02.3 of the North Dakota Century Code is~~
- 25 ~~amended and reenacted as follows:~~
- 26 ~~**16.1-08.1-02.3. Pre-election, supplemental, and year-end campaign disclosure**~~
- 27 ~~**statement requirements for candidates, candidate committees, multicandidate**~~
- 28 ~~**committees, and nonstatewide political parties.**~~
- 29 ~~1. Prior to the thirty-first day before a primary, general, or special election, a candidate or~~
- 30 ~~candidate committee formed on behalf of the candidate, a multicandidate political~~
- 31 ~~committee, or a political party other than a statewide political party soliciting or~~

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

8 ~~—— a. For each aggregated contribution from a contributor which totals in excess of two~~
9 ~~hundred fifty 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 of~~
14 ~~two hundred fifty dollars during the reporting period;~~

15 ~~—— c. The total of all contributions received from contributors that contributed two~~
16 ~~hundred fifty 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.~~

21 ~~—— 2. Beginning on the thirty-ninth day before the election through the day before the~~
22 ~~election, a person that files a statement under subsection 1 must file a supplemental~~
23 ~~statement within forty-eight hours of the start of the day following the receipt of a~~
24 ~~contribution or aggregate contribution from a contributor which is in excess of five~~
25 ~~hundred dollars. The statement must include:~~

26 ~~—— a. The name and mailing address of the contributor;~~

27 ~~—— b. The total amount of the contribution received during the reporting period; and~~

28 ~~—— c. The date the last contributed amount was received.~~

29 ~~—— 3. Prior to February first, a candidate or candidate committee, a multicandidate political~~
30 ~~committee, or a nonstatewide political party soliciting or accepting contributions shall~~
31 ~~file a campaign disclosure statement that includes all contributions received and~~

- 1 ~~expenditures, by expenditure category, made from January first through December~~
2 ~~thirty-first of the previous year. The statement may be submitted for filing beginning on~~
3 ~~January first. The statement must include:~~
- 4 ~~a. For a statewide candidate, a candidate committee formed on behalf of a~~
5 ~~statewide candidate, and a statewide multicandidate committee, the balance of~~
6 ~~the campaign fund on January first and on December thirty-first;~~
- 7 ~~b. For each aggregated contribution from a contributor which totals in excess of two~~
8 ~~hundred fifty dollars received during the reporting period:~~
- 9 ~~(1) The name and mailing address of the contributor;~~
10 ~~(2) The total amount of the contribution; and~~
11 ~~(3) The date the last contributed amount was received;~~
- 12 ~~c. The total of all aggregated contributions from contributors which total in excess of~~
13 ~~two hundred fifty dollars during the reporting period;~~
- 14 ~~d. The total of all contributions received from contributors that contributed two~~
15 ~~hundred fifty dollars or less each during the reporting period; and~~
- 16 ~~e. The total of all other expenditures made during the previous year, separated into~~
17 ~~expenditure categories.~~
- 18 ~~4. A person required to file a statement under this section, other than a candidate for~~
19 ~~judicial office, county office, city office, or school district office, or a candidate~~
20 ~~committee for a candidate exempted under this subsection, shall report each~~
21 ~~aggregated contribution from a contributor which totals five thousand dollars or more~~
22 ~~during the reporting period. For these contributions from individuals, the statement~~
23 ~~must include the contributor's occupation, employer, and the employer's principal~~
24 ~~place of business.~~
- 25 ~~5. A candidate for city office in a city with a population under five thousand and a~~
26 ~~candidate committee for the candidate are exempt from this section. A candidate for~~
27 ~~school district office in a school district with a fall enrollment of fewer than~~
28 ~~one thousand students and a candidate committee for the candidate are exempt from~~
29 ~~this section.~~
- 30 ~~6. A candidate for county office and a candidate committee for a candidate for county~~
31 ~~office shall file statements under this chapter with the county auditor. A candidate for~~

city office who is required to file a statement under this chapter and a candidate committee for such a candidate shall file statements with the city auditor. A candidate for school district office who is required to file a statement under this chapter and a candidate committee for such a candidate shall file statements with the school district business manager. Any other person required to file a statement under this section shall file the statement with the secretary of state.

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

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

~~**SECTION 4. AMENDMENT.** Section 16.1-08.1-02.4 of the North Dakota Century Code is amended and reenacted as follows:~~

~~**16.1-08.1-02.4. Pre-election, supplemental, and year-end campaign disclosure statement requirements for statewide political parties and certain political committees.**~~

~~1. Prior to the thirty-first day before a primary, general, or special election, a statewide political party or a political committee not required to file statements under section 16.1-08.1-02.3 which is soliciting or accepting contributions shall file a campaign disclosure statement that includes all contributions received and expenditures made from January first through the fortieth day before the election. A political party that has not endorsed or nominated a candidate in an election is not required to file a statement under this subsection. A statement required to be filed under this subsection may be submitted for filing beginning on the thirty-ninth day before the election. The statement must include:~~

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

~~(1) The name and mailing address of the contributor;~~

~~(2) The total amount of the contribution; and~~

~~(3) The date the last contributed amount was received;~~

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

- ~~1 — c. The total of all contributions received from contributors that contributed two~~
- ~~2 hundred fifty dollars or less each during the reporting period;~~
- ~~3 — d. For each recipient of an expenditure from campaign funds in excess of two~~
- ~~4 hundred fifty dollars in the aggregate:~~
- ~~5 (1) The name and mailing address of the recipient;~~
- ~~6 (2) The total amount of the expenditure made to the recipient; and~~
- ~~7 (3) The date the last expended amount was made to the recipient;~~
- ~~8 — e. The aggregate total of all expenditures from campaign funds in excess of two~~
- ~~9 hundred fifty dollars;~~
- ~~10 — f. The aggregate total of all expenditures from campaign funds of two hundred fifty~~
- ~~11 dollars or less; and~~
- ~~12 — g. The balance of the campaign fund on the fortieth day before the election and~~
- ~~13 balance of the campaign fund on January first.~~
- ~~14 — 2. Beginning on the thirty-ninth day before the election through the day before the~~
- ~~15 election, a person that files a statement under subsection 1 must file a supplemental~~
- ~~16 statement within forty-eight hours of the start of the day following the receipt of a~~
- ~~17 contribution or aggregate contribution from a contributor which is in excess of five~~
- ~~18 hundred dollars. The statement must include:~~
- ~~19 a. The name and mailing address of the contributor;~~
- ~~20 b. The total amount of the contribution received during the reporting period; and~~
- ~~21 c. The date the last contributed amount was received.~~
- ~~22 — 3. Prior to February first, a statewide political party or a political committee that is not~~
- ~~23 required to file a statement under section 16.1-08.1-2.3 shall file a campaign~~
- ~~24 disclosure statement that includes all contributions received and expenditures made~~
- ~~25 from January first through December thirty first of the previous year. The statement~~
- ~~26 may be submitted for filing beginning on January first. The statement must include:~~
- ~~27 a. For each aggregated contribution from a contributor which totals in excess of two~~
- ~~28 hundred fifty dollars received during the reporting period:~~
- ~~29 (1) The name and mailing address of the contributor;~~
- ~~30 (2) The total amount of the contribution; and~~
- ~~31 (3) The date the last contributed amount was received;~~

- 1 ~~b. The total of all aggregated contributions from contributors which total in excess of~~
2 ~~two hundred fifty dollars during the reporting period;~~
- 3 ~~c. The total of all contributions received from contributors that contributed two~~
4 ~~hundred fifty dollars or less each during the reporting period;~~
- 5 ~~d. For each recipient of an expenditure from campaign funds in excess of two~~
6 ~~hundred fifty dollars in the aggregate:~~
- 7 ~~(1) The name and mailing address of the recipient;~~
8 ~~(2) The total amount of the expenditure made to the recipient; and~~
9 ~~(3) The date the last expended amount was made to the recipient;~~
- 10 ~~e. The aggregate total of all expenditures from campaign funds in excess of two~~
11 ~~hundred fifty dollars;~~
- 12 ~~f. The aggregate total of all expenditures from campaign funds of two hundred fifty~~
13 ~~dollars or less; and~~
- 14 ~~g. The balance of the campaign fund on January first and December thirty-first.~~
- 15 ~~4. A person required to file a statement under this section shall disclose each aggregated~~
16 ~~contribution from a contributor which totals five thousand dollars or more during the~~
17 ~~reporting period. For these contributions from individuals, the statement must include~~
18 ~~the contributor's occupation, employer, and the employer's principal place of business.~~
- 19 ~~5. Statements under this section must be filed with the secretary of state.~~
- 20 ~~6. The secretary of state shall assess and collect fees for any reports filed after the filing~~
21 ~~deadline.~~

22 ~~**SECTION 5. AMENDMENT.** Subsection 3 of section 16.1-08.1-03.2 of the North Dakota~~
23 ~~Century Code is amended and reenacted as follows:~~

- 24 ~~3. A political committee that organizes and registers according to federal law and makes~~
25 ~~an independent expenditure or makes a disbursement in excess of two hundred fifty~~
26 ~~dollars to a nonfederal candidate seeking public office, a political party, or political~~
27 ~~committee in this state is not required to register as a political committee according to~~
28 ~~this section if the political committee reports according to section 16.1-08.1-03.7.~~

29 ~~**SECTION 6. AMENDMENT.** Section 16.1-08.1-03.7 of the North Dakota Century Code is~~
30 ~~amended and reenacted as follows:~~

~~16.1-08.1-03.7. Political committees that organize and register according to federal law that make independent expenditures or disbursements to nonfederal candidates, political parties, and political committees.~~

~~A political committee that organizes and registers according to federal law and makes an independent expenditure or makes a disbursement in excess of two hundred fifty dollars to a nonfederal candidate seeking public office or to a political party or political committee in this state shall file a copy of that portion of the committee's federal report detailing the independent expenditure or the disbursement made. The political committee shall file a copy of the committee's federal report, and supplementary information as necessary under this section, with the secretary of state at the time of filing the report with the applicable federal agency. The report and supplementary information must include:~~

- ~~1. The name, mailing address, and treasurer of the political committee;~~
- ~~2. The recipient's name and mailing address;~~
- ~~3. The date and amount of the independent expenditure or disbursement; and~~
- ~~4. The ultimate and true source of funds listed by contributor and subcontributor of any amount over two hundred fifty dollars collected or used to make the independent expenditure or disbursement including:~~
 - ~~a. The name and address of the contributor;~~
 - ~~b. The total amount of the contribution; and~~
 - ~~c. The date the last contribution was received.~~

~~SECTION 7. AMENDMENT. Section 16.1-08.1-06.2 of the North Dakota Century Code is amended and reenacted as follows:~~

~~16.1-08.1-06.2. Secretary of state to provide instructions, make adjustments for inflation, and conduct training.~~

- ~~1. The secretary of state shall provide instructions and conduct training for the purpose of promoting uniform application of campaign finance and disclosure requirements and the uniform filing of statements, registrations, or reports according to this chapter.~~
- ~~2. The secretary also of state shall determine adjustments adjust for inflation of the reporting thresholds in this chapter by one hundred dollars once every ten years from the last calendar year of adjustment and instruct persons submitting reports under this chapter of the adjustments. On The secretary of state shall make the adjustment by~~

~~January first of each adjustment year, the secretary shall determine whether the accumulated change in the consumer price index for all urban consumers (all items, United States city average), as applied to each reporting threshold in this chapter, would result in an adjustment of at least ten dollars of the threshold in effect on that date. If so, the secretary shall deem the reporting threshold adjusted by ten dollars.~~

SECTION 1. AMENDMENT. Section 15.1-09-08 of the North Dakota Century Code is amended and reenacted as follows:

15.1-09-08. School district elections - Candidate filings.

An individual seeking election to the board of a school district shall prepare and sign a document stating the individual's name and the position for which that individual is a candidate. A candidate shall also file a statement of interests as required by section 16.1-09-02. Whether or not the election is held in conjunction with a statewide election, all statements of interest must be filed with the school district business manager, or mailed to and in the possession of the business manager, by four p.m. of the sixty-fourth day before the election. A candidate shall also file a campaign contribution statement as required by section ~~16.1-08.1-02.3~~ 16.1-08.2-03.

SECTION 2. AMENDMENT. Section 15.1-09-19 of the North Dakota Century Code is amended and reenacted as follows:

15.1-09-19. Duties of election officials - Other applicable statutes.

Sections ~~16.1-08.1-03.3~~ 16.1-08.2-07, 16.1-10-01, 16.1-10-06, 16.1-10-06.1, 16.1-10-07, 16.1-10-08, 16.1-13-22, 16.1-13-23, 16.1-13-30, 16.1-15-01, 16.1-15-04, and 16.1-16-04 apply to elections held under sections 15.1-09-09 and 15.1-09-11.

SECTION 3. AMENDMENT. Section 16.1-01-12 of the North Dakota Century Code is amended and reenacted as follows:

16.1-01-12. Election offenses - Penalty.

1. It is unlawful for an individual, measure committee as described in section ~~16.1-08.1-01~~ 16.1-08.2-01, or other organization to:
 - a. Fraudulently alter another individual's ballot, substitute one ballot for another, or otherwise defraud a voter of that voter's vote.
 - b. Cause a disturbance, breach the peace, or obstruct a qualified elector or a member of the election board on the way to or at a polling place.
 - c. Vote more than once in any election.

- 1 d. Knowingly vote in the wrong election precinct or district.
- 2 e. Disobey the lawful command of an election officer as defined in chapter 16.1-05.
- 3 f. Knowingly exclude a qualified elector from voting or knowingly allow an
- 4 unqualified individual to vote.
- 5 g. Knowingly vote when not qualified to do so.
- 6 h. Sign an initiative, referendum, recall, or any other election petition when not
- 7 qualified to do so.
- 8 i. Circulate an initiative, referendum, recall, or any other election petition not in its
- 9 entirety or when unqualified to do so.
- 10 j. Pay or offer to pay any individual, measure committee, or other organization, or
- 11 receive payment or agree to receive payment, on a basis related to the number
- 12 of signatures obtained for circulating an initiative, referendum, or recall petition.
- 13 This subsection does not prohibit the payment of salary and expenses for
- 14 circulation of the petition on a basis not related to the number of signatures
- 15 obtained, as long as the circulators file the intent to remunerate before submitting
- 16 the petitions and, in the case of initiative and referendum petitions, fully disclose
- 17 all contributions received pursuant to chapter ~~16.1-08.1~~ 16.1-08.2 to the secretary
- 18 of state upon submission of the petitions. The disclosure of contributions received
- 19 under this section does not affect the requirement to file a pre-election report by
- 20 individuals or organizations soliciting or accepting contributions for the purpose of
- 21 aiding or opposing the circulation or passage of a statewide initiative or
- 22 referendum petition or measure placed upon a statewide ballot by action of the
- 23 legislative assembly under chapter ~~16.1-08.1~~ 16.1-08.2. Any signature obtained in
- 24 violation of this subdivision is void and may not be counted.
- 25 k. Willfully fail to perform any duty of an election officer after having accepted the
- 26 responsibility of being an election officer by taking the oath as prescribed in this
- 27 title.
- 28 l. Willfully violate any rule adopted by the secretary of state pursuant to this title.
- 29 m. Willfully make any false canvass of votes, or make, sign, publish, or deliver any
- 30 false return of an election, knowing the canvass or return to be false; or willfully

- 1 deface, destroy, or conceal any statement or certificate entrusted to the
2 individual's or organization's care.
- 3 n. Destroy ballots, ballot boxes, election lists, or other election supplies except as
4 provided by law, or negatively impact the confidentiality, integrity, or availability of
5 any system used for voting.
- 6 o. Sign a name other than that individual's own name to an initiative, referendum,
7 recall, or any other election petition.
- 8 p. Willfully submit an initiative or referendum petition that contains one or more
9 fraudulent signatures.
- 10 2. a. A violation of subdivisions b, e, f, or h through l of subsection 1 is a class A
11 misdemeanor.
- 12 b. A violation of subdivisions a, c, d, g, or m of subsection 1 is a class C felony.
- 13 c. A violation of subdivision n of subsection 1 is a class C felony.
- 14 d. A violation of subdivision o of subsection 1 is a class A misdemeanor if an
15 individual signs one or two names other than the individual's own name to a
16 petition and is a class C felony if an individual signs more than two names other
17 than the individual's own name to a petition.
- 18 e. An organization, as defined in section 12.1-03-04, that violates this section is
19 subject to the organizational fines in section 12.1-32-01.1. The court in which the
20 conviction is entered shall notify the secretary of state of the conviction and shall
21 order the secretary of state to revoke the certificate of authority of any convicted
22 organization or limited liability company. The organization may not reapply to the
23 secretary of state for authorization to do business under any name for one year
24 upon conviction of a class A misdemeanor and for five years upon conviction of a
25 class C felony under this section, except an organization operating a signature
26 gathering business, or similar enterprise, that violates subdivision p of
27 subsection 1, and is convicted of fraud, is subject to a class A misdemeanor and
28 may not reapply to the secretary of state for authorization to do business under
29 any name for five years following the entry of judgment.
- 30 f. A violation of subdivision p of subsection 1 by any member of a measure
31 committee, including an initiative or referendum sponsoring committee 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 is subject to a civil penalty of not more than three thousand dollars. The civil penalty may be recovered in an action brought in the district court of Burleigh County by the attorney general.

g. An individual who is a member of an organization may be convicted of a violation as an accomplice under section 12.1-03-01.

3. Every act this chapter makes criminal when committed with reference to the election of a candidate is equally criminal when committed with reference to the determination of a question submitted to qualified electors to be decided by votes cast at an election.

SECTION 4. Chapter 16.1-08.2 of the North Dakota Century Code is created and enacted as follows:

16.1-08.2-01. Definitions.

1. "Affiliate" means an organization controlling, is controlled by, or is under common control with another organization. For purposes of this definition, control means the possession, direct or indirect, of the power to direct or cause the direction of the management and policies of an organization, whether through the ownership of voting securities, by contract other than a commercial contract for goods or nonmanagement services, or otherwise. Control is presumed to exist if an organization, directly or indirectly, owns, controls, holds with the power to vote, or holds proxies representing fifty percent or more of the voting securities of any other organization.

2. "Association" means any club, association, union, brotherhood, fraternity, organization, or group of any kind of two or more persons, including labor unions, trade associations, professional associations, or governmental associations, which is united for any purpose, business, or object and which assesses any dues, membership fees, or license fees in any amount, or which maintains a treasury fund in any amount. The term does not include corporations, cooperative corporations, limited liability companies, political committees, or political parties.

3. "Conduit" means a person that is not a political party, political committee, or candidate and which receives a contribution of money and transfers the contribution to a candidate, political party, or political committee when the contribution is designated

- 1 specifically for the candidate, political party, or political committee and the person has
2 no discretion as to the recipient and the amount transferred. The term includes a
3 transactional intermediary, including a credit card company or a money transfer
4 service paying or transferring money to a candidate on behalf of another person.
- 5 4. "Contribution" means a gift, transfer, conveyance, provision, receipt, subscription,
6 loan, advance, deposit of money, or anything of value, made for the purpose of
7 influencing the nomination for election, or election, of any person to public office or
8 aiding or opposing the circulation or passage of a statewide initiative or referendum
9 petition or measure. The term also means a contract, promise, or agreement, express
10 or implied, whether or not legally enforceable, to make a contribution for any of the
11 above purposes. The term includes funds deposited by a candidate for public office or
12 a political party or committee which are transferred or signed over to that candidate,
13 party, or committee from another candidate, party, or political committee or other
14 source including a conduit. The term "anything of value" includes any good or service
15 of more than a nominal value. The term "nominal value" means the cost, price, or
16 worth of the good or service is trivial, token, or of no appreciable value. The term
17 "contribution" does not include:
- 18 a. A loan of money from a bank or other lending institution made in the regular
19 course of business.
- 20 b. Time spent by volunteer campaign or political party workers.
- 21 c. Money or anything of value deposited for commercial transactions, including
22 rents, advertising, or sponsorships made as a part of a fair market value
23 bargained-for exchange.
- 24 d. Money or anything of value deposited for anything other than a political purpose.
- 25 e. Products or services for which the actual cost or fair market value are reimbursed
26 by a payment of money.
- 27 f. An independent expenditure.
- 28 g. The value of advertising paid by a political party, multicandidate political
29 committee, or caucus which is in support of a candidate.
- 30 h. In-kind contributions from a candidate to the candidate's campaign.

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- 1 5. "Cooperative corporations", "corporations", and "limited liability companies" are as
2 defined in this code, and for purposes of this chapter "corporations" includes nonprofit
3 corporations. However, if a political committee, the only purpose of which is accepting
4 contributions and making expenditures for a political purpose, incorporates for liability
5 purposes only, the committee is not considered a corporation for the purposes of this
6 chapter.
- 7 6. "Expenditure" means:
 - 8 a. A gift, transfer, conveyance, provision, loan, advance, payment, distribution,
9 disbursement, outlay, or deposit of money or anything of value, except a loan of
10 money from a bank or other lending institution made in the regular course of
11 business, made for a political purpose or for the purpose of influencing the
12 passage or defeat of a measure.
 - 13 b. A contract, promise, or agreement, express or implied, whether or not legally
14 enforceable, to make any expenditure.
 - 15 c. The transfer of funds by a political committee to another political committee.
 - 16 d. An independent expenditure.
- 17 7. "Expenditure purpose" means the type of expense for which expenditures for a
18 political purpose occurred under this chapter.
- 19 8. "Foreign national" means:
 - 20 a. A government or country other than the United States.
 - 21 b. A political party organized under the laws of a country other than the United
22 States.
 - 23 c. A corporation, partnership, association, organization, or other combination of
24 persons organized under the laws of or having its principal place of business in a
25 country other than the United States.
 - 26 d. An individual with citizenship of a country other than the United States.
 - 27 e. An individual who is not a citizen or national of the United States and is not
28 admitted lawfully to the United States for permanent residence.
- 29 9. "Independent expenditure" means an expenditure made for a political purpose or for
30 the purpose of influencing the passage or defeat of a measure if the expenditure is
31 made without the express or implied consent authorization, or cooperation of, and not

1 in concert with or at the request or suggestion of any candidate, committee, or political
2 party.

3 10. "Patron" means a person who owns equity interest in the form of stock, shares, or
4 membership or maintains similar financial rights in a cooperative corporation.

5 11. "Person" means an individual, partnership, political committee, association,
6 corporation, cooperative corporation, limited liability company, or other organization or
7 group of persons.

8 12. "Personal benefit" means a benefit to the candidate or another person which is not for
9 a political purpose or related to a candidate's responsibilities as a public officeholder,
10 and any other benefit that would convert a contribution to personal income.

11 13. "Political committee" means any committee, club, association, or other group of
12 persons which receives contributions or makes expenditures for political purposes and
13 includes:

14 a. A political action committee not connected to another organization and free to
15 solicit funds from the general public, or derived from a corporation, cooperative
16 corporation, limited liability company, affiliate, subsidiary, or an association, which
17 solicits or receives contributions from its employees or members or makes
18 expenditures for political purposes on behalf of its employees or members;

19 b. A candidate committee established to support an individual candidate seeking
20 public office, which solicits or receives contributions for political purposes;

21 c. A political organization registered with the federal election commission, which
22 solicits or receives contributions or makes expenditures for political purposes;

23 d. A multicandidate political committee, including a caucus, established to support
24 multiple groups or slates of candidates seeking public office, which solicits or
25 receives contributions for political purposes; and

26 e. A measure committee, including an initiative or referendum sponsoring
27 committee at any stage of its organization, which solicits or receives contributions
28 or makes expenditures for the purpose of supporting or opposing an initiative or
29 referendum petition, or measure sought to be voted upon by the voters of the
30 state, including any activities undertaken for the purpose of drafting an initiative

1 or referendum petition, seeking approval of the secretary of state for the
2 circulation of a petition, or seeking approval of the submitted petitions.

3 14. "Political party" means any association, committee, or organization which nominates a
4 candidate for election to any office which may be filled by a vote of the electors of this
5 state or any of its political subdivisions and whose name appears on the election ballot
6 as the candidate of the association, committee, or organization.

7 15. "Political purpose" means any activity undertaken in support of or in opposition to the
8 election or nomination of a candidate to public office and includes using "vote for",
9 "oppose", or any similar support or opposition language in any advertisement whether
10 the activity is undertaken by a candidate, a political committee, a political party, or any
11 person. The term includes paying any expenses related to the election or nomination
12 of a candidate. This term does not include activities undertaken in the performance of
13 a duty of a public office or any position taken in any bona fide news story, commentary
14 or editorial.

15 16. "Public office" means every office to which an individual can be elected by vote of the
16 people under the laws of this state.

17 17. "Subsidiary" means an affiliate of a corporation under the control of the corporation
18 directly or indirectly through one or more intermediaries.

19 18. "Ultimate and true source" means the person that knowingly contributed over two
20 hundred fifty dollars solely to influence a statewide election or an election for the
21 legislative assembly.

22 **16.1-08.2-02. General provisions.**

23 1. A political committee, except those defined in subdivision c of subsection 13 of section
24 16.1-08.2-01, shall register its name, mailing address, telephone number, and
25 nongovernment-issued electronic mail address, and its agent's name, mailing address,
26 telephone number, and nongovernment-issued electronic mail address, and a
27 designation as to whether the committee is incorporated solely for the purpose of
28 liability protection, with the secretary of state. A candidate who does not have a
29 candidate committee shall register the candidate's name, mailing address, telephone
30 number, and nongovernment-issued electronic mail address with the secretary of
31 state. If the candidate has an agent, the candidate also shall register the agent's

1 name, mailing address, telephone number, and nongovernment-issued electronic mail
2 address with the secretary of state.

3 2. The registration required under this section for a candidate or political committee that
4 has not previously registered with the secretary of state must be submitted within
5 fifteen business days of the deposit date of any contribution or expenditure made.

6 3. A candidate or political committee required to be registered under this section shall
7 register with the secretary of state each year during which the candidate holds public
8 office or during which the political committee receives contributions, makes
9 expenditures for political purposes, or has a balance in the campaign account. An
10 individual who no longer holds public office or an individual who no longer seeks public
11 office shall register with the secretary of state each year in which contributions are
12 deposited, expenditures are made for political purposes, or a balance remains in the
13 campaign account.

14 4. Any statement filed with the secretary of state under this chapter must be:

15 a. Filed electronically within the prescribed time and in the format established by the
16 secretary of state. If the secretary of state does not receive a statement, an
17 electronic duplicate of the statement must be filed promptly upon notice by the
18 secretary of state of its nonreceipt. After a statement has been filed, the secretary
19 of state may request or accept written clarification along with an amended
20 statement from a candidate, political party, or political committee filing the
21 statement when discrepancies, errors, or omissions on the statement are
22 discovered by the secretary of state, the candidate, political party, or political
23 committee filing the statement, or by any interested party reciting a lawful reason
24 for requesting clarification and an amendment be made. When requesting an
25 amended statement, the secretary of state shall establish a reasonable period of
26 time, not to exceed ten days, agreed to by the candidate, political party, or
27 political committee, for filing the amended statement with the secretary of state.

28 b. Preserved by the secretary of state for a period of ten years from the date of the
29 filing deadline. The statement must be considered a part of the public records of
30 the secretary of state's office and must be open to public inspection on the
31 internet.

5. In determining the amount of individual contributions from any contributor, all amounts deposited from the same contributor during the reporting period must be aggregated to report an overall total contribution for the purposes of the statements required by this chapter. Contributions made separately by different persons from joint accounts are considered separate contributions for reporting purposes.

6. In determining the amount of expenditures to any recipient, all expenditures to the same recipient during the reporting period must be aggregated to report an overall total expenditure for the purposes of the statements required by this chapter.

7. Contributions and expenditures which are two hundred fifty dollars or less in the aggregate are exempt records under chapter 44-04 and reported as part of aggregate totals only.

8. In reporting a contribution deposited through a conduit, a candidate, political party, or political committee shall list each reportable contribution identifying the person that submitted the contribution to the conduit and provide the required information regarding the contribution from that person rather than identifying the conduit as the contributor.

9. A political committee organizing and registering according to federal law which makes an independent expenditure or makes a disbursement in excess of two hundred fifty dollars to a nonfederal candidate seeking public office, a political party, or political committee shall report as a political committee according to sections 16.1-08.2-03 and 16.1-08.2-06.

10. To ensure accurate reporting and avoid commingling of campaign and personal funds, candidates shall use dedicated campaign accounts that are separate from any personal accounts.

11. Registration by a political committee under this section does not reserve the name for exclusive use nor does it constitute registration of a trade name under chapter 47-25.

12. A candidate or candidate committee for a county office, city office, or school district office are exempt from registering and filing with the secretary of state. Any other person required to file a statement under this chapter shall file the statement with the secretary of state.

a. A candidate for city office in a city with a population under five thousand and a candidate committee for the candidate are exempt from this chapter. A candidate for school district office in a school district with a fall enrollment of fewer than one thousand students and a candidate committee for the candidate are exempt from this chapter.

b. A candidate for county office and a candidate committee for a candidate for county office shall file statements under this chapter with the county auditor. A candidate for city office and a candidate committee for a candidate for city office shall file statements under this chapter with the city auditor. A candidate for school district office and a candidate committee for a candidate for school district office shall file statements under this chapter with the school business manager.

16.1-08.2-03. Pre-election, supplemental, and year-end campaign disclosure statement requirements for candidates, candidate committees, multicandidate committees, political committees, and political parties.

1. Before a primary or special election, and before and following a general election, a candidate or candidate committee formed on behalf of the candidate, a multicandidate political committee, a political committee, or a political party soliciting or accepting contributions shall file a campaign disclosure statement from:

- a. January first through April thirtieth before a primary election.
- b. May first through September thirtieth before a general election.
- c. October first through December thirty-first following a general election.
- d. January first through the fortieth day before a special election.

2. A candidate whose name is not on the ballot and who is not seeking election through write-in votes, the candidate's candidate committee, and a political party that has not endorsed or nominated any candidate in the election is not required to file a statement under subsection 1, but is required to file a statement under subsection 6.

3. The statement before a primary, general, or special election under subsection 1 may be submitted for filing beginning on the day following the end of the reporting period and must be submitted before the eighth day following the reporting period. The statement following the general election may be submitted for filing beginning on January first and must be submitted before February first.

- 1 4. A statement filed under subsection 1 must include the following information:
- 2 a. For each contribution deposited during the reporting period, the:
- 3 (1) Name and the city and state of the contributor;
- 4 (2) Total amount of the contribution; and
- 5 (3) Date the last contributed amount was deposited.
- 6 b. For each expenditure during the reporting period, the:
- 7 (1) Name of the recipient and location of purchase;
- 8 (2) Total amount of the expenditure made to the recipient;
- 9 (3) Date of the expenditure; and
- 10 (4) Expenditure purpose.
- 11 c. The total of all contributions and expenditures which total in excess of two
- 12 hundred fifty dollars during the reporting period.
- 13 d. The aggregated total of contributions and expenditures which are two hundred
- 14 fifty dollars or less during the reporting period.
- 15 e. For a candidate, a candidate committee formed on behalf of a candidate, a
- 16 multicandidate committee, or a political party, the balance of the campaign fund
- 17 on the last day of the reporting period and the balance of the campaign fund on
- 18 the first day of the reporting period.
- 19 5. Beginning on May first before a primary election, October first before a general
- 20 election, and thirty-nine days before a special election through the day before the
- 21 election, a person filing a statement under subsection 1 must file a supplemental
- 22 statement within forty-eight hours of the start of the day following the deposit of a
- 23 contribution or aggregate contribution from a contributor which is in excess of five
- 24 hundred dollars. The statement must include the:
- 25 a. Name and the city and state of the contributor;
- 26 b. Total amount of the contribution deposited during the reporting period; and
- 27 c. Date the last contributed amount was deposited.
- 28 6. Before February first, a candidate whose name is not on the ballot and who is not
- 29 seeking election through write-in votes or the candidate's candidate committee, a
- 30 multicandidate political committee, a political committee, or a political party soliciting or
- 31 accepting contributions not required to file a statement under subsection 1 shall file a

1 campaign disclosure statement including all contributions deposited and expenditures
2 made from January first through December thirty-first of the previous year. The
3 statement may be submitted for filing beginning on January first. The filer shall indicate
4 on the report the corresponding reporting period, as described under section 1, in
5 which each contribution was deposited and expenditure was made to determine
6 whether the filer's aggregated totals exceed two hundred fifty dollars for the reporting
7 period. The statement filed according to this section must include the following
8 information:

9 a. For a candidate, a candidate committee formed on behalf of a candidate, a
10 multicandidate committee, or political party, the balance of the campaign fund on
11 January first and on December thirty-first.

12 b. For each contribution deposited during the reporting period, the:

13 (1) Name and the city and state of the contributor;

14 (2) Total amount of the contribution; and

15 (3) Date the last contributed amount was deposited.

16 c. For each expenditure during the reporting period, the:

17 (1) Name of the recipient and location of purchase;

18 (2) Total amount of the expenditure made to the recipient;

19 (3) Date of the expenditure; and

20 (4) Expenditure purpose.

21 d. The total of all contributions and expenditures which total in excess of two
22 hundred fifty dollars during the reporting period.

23 e. The aggregated total of contributions and expenditures which are two hundred
24 fifty dollars or less during the reporting period.

25 7. A candidate, a candidate committee formed on behalf of a candidate, or a
26 multicandidate committee for county office, city office, or school district office shall
27 report aggregated contributions and expenditures of two hundred fifty dollars or less
28 under this section.

29 8. A person required to file a statement under this section shall report each aggregated
30 contribution from a contributor which totals five thousand dollars or more during the

- 1 reporting period. For these contributions from individuals, the statement must include
- 2 the contributor's occupation, employer, and the employer's principal place of business.
- 3 9. A political committee that qualifies as a nonprofit entity under section 501(c)(4) of the
- 4 Internal Revenue Code [26 U.S.C. 501 (c)(4)] is not required to disclose the
- 5 information under this section.
- 6 10. A political committee that registers according to federal law and files a campaign
- 7 disclosure statement in accordance with this section is required to include only
- 8 contributions received or expenditures made for a nonfederal political purpose related
- 9 to this state or for the purpose of influencing an initiated petition or the passage or
- 10 defeat of a measure in this state.
- 11 11. A political committee that registers according to federal law is not required to file a
- 12 campaign disclosure statement in accordance with this section for a reporting period in
- 13 which the political committee maintains a campaign balance and does not receive a
- 14 contribution or make an expenditure that is reportable under this section.
- 15 **16.1-08.2-04. Special requirements for state political parties.**
- 16 1. State political parties shall establish separate and segregated accounts for the
- 17 management of state nominating conventions. All revenue obtained and expenditures
- 18 made for the planning and running of a state convention must be accounted for in
- 19 these accounts.
- 20 2. A postconvention statement must be filed with the secretary of state sixty days after
- 21 the close of the state nominating convention. The reporting period for the
- 22 postconvention statement begins on the first day of January of the reporting year and
- 23 ends thirty days after the close of the state nominating convention.
- 24 3. A year-end statement covering the entire calendar year must be filed with the
- 25 secretary of state before February first of the following year even if no convention
- 26 revenue was deposited or expenditures made within the calendar year.
- 27 4. The statement filed under this section must show:
- 28 a. The balance of the filer's convention accounts at the start and close of the
- 29 reporting period.
- 30 b. The total of all revenue deposited and expenditures made of two hundred fifty
- 31 dollars or less.

- 1 c. The total of all revenue deposited and expenditures made in excess of two
- 2 hundred fifty dollars.
- 3 d. For revenues received and deposited, the:
- 4 (1) Name of each person providing the revenue;
- 5 (2) City and state of each person providing revenue;
- 6 (3) Date of the most recent deposit of revenue from each person providing
- 7 revenue; and
- 8 (4) Purpose or purposes for which revenue was deposited from each person.
- 9 e. For each expenditure made, the:
- 10 (1) Name of each person to which the expenditure was made;
- 11 (2) City and state of each person to which the expenditure was made;
- 12 (3) Date of the most recent expenditure made to each person or entity; and
- 13 (4) Purpose or purposes for which the aggregated expenditure total was
- 14 disbursed to each person or entity.
- 15 f. The total of all contributions and expenditures which total in excess of two
- 16 hundred fifty dollars during the reporting period.
- 17 g. The aggregated total of contributions and expenditures which are two hundred
- 18 fifty dollars or less during the reporting period.
- 19 h. For each aggregated revenue from an individual which totals five thousand
- 20 dollars or more during the reporting period, the occupation, employer, and
- 21 principal place of business of the individual.
- 22 5. If a net gain from the convention is transferred to the accounts established for the
- 23 support of the nomination or election of candidates, the total transferred must be
- 24 reported as a contribution in the statements required by section 16.1-08.2-03.
- 25 6. If a net loss from the convention is covered by a transfer from the accounts
- 26 established for the support of the nomination or election of candidates, the total
- 27 transferred must be reported as an expenditure in the statements required by section
- 28 16.1-08.2-03.
- 29 7. A state political party or nonprofit entity affiliated with or under the control of a state
- 30 political party, which receives a donation for purchasing, maintaining, or renovating a
- 31 building, shall file a statement with the secretary of state before February first of each

1 calendar year. Any income or financial gain generated from a building purchased,
2 maintained, or renovated from donations must be deposited in the building fund and
3 must be disclosed when the political party or nonprofit entity files the statement
4 required under this section. Money in the fund may be used only by the state political
5 party or nonprofit entity affiliated with or under the control of a state political party for
6 purchasing, maintaining, or renovating a building, including the purchase of fixtures for
7 the building. The statement may be submitted for filing beginning on January first and
8 must include the:

- 9 a. Balance of the building fund on January first;
10 b. Name and the city and state of each donor;
11 c. Amount of each donation;
12 d. Date each donation was deposited;
13 e. Name and the city and state of each recipient of an expenditure;
14 f. Amount of each expenditure;
15 g. Date each expenditure was made; and
16 h. Balance of the fund on December thirty-first.

17 **16.1-08.2-05. Special requirements for statements required of persons engaged in**
18 **activities regarding ballot measures.**

- 19 1. For each reportable contribution and expenditure under section 16.1-08.2-03, the
20 threshold for reporting is one hundred dollars for any person engaged in activities
21 described in subdivision e of subsection 13 of section 16.1-08.2-01.
22 2. For contributions deposited from any contributor, a person engaged in activities
23 described in subdivision e of subsection 13 of section 16.1-08.2-01 shall include the
24 following information regarding each subcontributor that has stated a contribution is for
25 the express purpose of furthering the passage or defeat of a ballot measure in the
26 statements required under section 16.1-08.2-03:
27 a. A designation as to whether any person contributed in excess of one hundred
28 dollars of the total contribution;
29 b. The name and the city and state of each subcontributor contributing in excess of
30 one hundred dollars of the total contribution;
31 c. The contribution amounts of each disclosed subcontributor; and

d. The occupation, employer, and address for the employer's principal place of business of each disclosed subcontributor.

3. A measure committee which is seeking approval for an initiative or referendum shall file a disclosure statement by the date the secretary of state approves the petition for circulation. Thereafter, the measure committee is required to file disclosure statements as directed by section 16.1-08.2-03.

4. A measure committee that is seeking approval for an initiative or referendum shall file a statement regarding its intent to compensate circulators before paying for petitions to be circulated.

16.1-08.2-06. Special requirements for political committees organized and registered under federal law.

1. A political committee organizing and registering according to federal law which makes an independent expenditure or makes a disbursement in excess of two hundred fifty dollars to a nonfederal candidate seeking public office or to a political party or political committee in this state shall file a copy of that portion of the committee's federal report detailing the independent expenditure or the disbursement made.

2. The political committee shall file a copy of the committee's federal report, and supplementary information as necessary under this section, with the secretary of state at the time of filing the report with the applicable federal agency. The report and supplementary information must include the:

a. Name, city and state, and treasurer of the political committee;

b. Recipient's name and mailing address;

c. Date and amount of the independent expenditure or disbursement; and

d. Ultimate and true source of funds listed by contributor and subcontributor for any amount over two hundred fifty dollars collected or used to make the independent expenditure or disbursement including the:

(1) Name, city and state, and treasurer of the political committee;

(2) Total amount of the contribution; and

(3) Date the last contribution was deposited.

16.1-08.2-07. Campaign contributions by corporations, cooperative corporations, limited liability companies, affiliates, subsidiaries, and associations - Penalty.

1. A corporation, cooperative corporation, limited liability company, affiliate, subsidiary, or association may establish, administer, and solicit contributions to a separate and segregated fund to be used for political purposes by the corporation, cooperative corporation, limited liability company, affiliate, subsidiary, or association. It is unlawful for:

- a. The person controlling the fund to make contributions or expenditures using money or anything of value secured by physical force, job discrimination, financial reprisals, or the threat of those actions, or use money from dues, fees, treasury funds, or other money required as a condition of membership in an association, or as a condition of employment, or use money obtained in any commercial transaction. Moneys from fees, dues, treasury funds, or money obtained in a commercial transaction may, however, be used to pay costs of administration of the fund.
- b. Any person soliciting an employee, stockholder, patron, board member, or member for a contribution to the fund to fail to inform the employee or member of the political purposes of the fund at the time of the solicitation or of the general political philosophy intended to be advanced through committee activities.
- c. Any person soliciting an employee or member for a contribution to the fund to fail to inform the employee or member at the time of the solicitation of the right to refuse to contribute without any reprisal.
- d. Any contribution to be accepted without keeping an accurate record of the contributor and amount contributed and of amounts expended for political purposes.
- e. Any contribution to be accepted from any person not an employee, a stockholder, a patron, a board member or a member of the corporation, cooperative corporation, limited liability company, affiliate, subsidiary, or association maintaining the political action committee, except a corporation may accept a contribution from an employee, a stockholder, a patron, a board member, or a member of an affiliate or a subsidiary of the corporation.

- 1 f. Any expenditure made for political purposes to be reported under this section
2 before control of the expenditure has been released by the political action
3 committee except if there is a contract, a promise, or an agreement, expressed or
4 implied, to make the expenditure.
- 5 2. A person may not make a payment of that person's money or of another person's
6 money to any other person for a political purpose in any name other than that of the
7 person supplying the money and a person may not knowingly receive the payment nor
8 enter nor cause the payment to be entered in that person's account or record in any
9 name other than that of the person by which it actually was furnished.
- 10 3. If an officer, employee, agent, attorney, or other representative of a corporation,
11 cooperative corporation, limited liability company, affiliate, subsidiary, or association
12 makes any contribution prohibited by this section out of corporate, cooperative
13 corporation, limited liability company, affiliate, subsidiary, or association funds or
14 otherwise violates this section, it is prima facie evidence of a violation by the
15 corporation, cooperative corporation, limited liability company, affiliate, subsidiary, or
16 association.
- 17 4. Corporations, cooperative corporations, limited liability companies, affiliates,
18 subsidiaries, and associations may make expenditures and contributions for promoting
19 any general political philosophy or belief deemed in the best interest of the employees,
20 stockholders, patrons, or members of the corporation, cooperative corporation, limited
21 liability company, affiliate, subsidiary, or association other than a "political purpose" as
22 defined by this chapter. A corporation, cooperative corporation, limited liability
23 company, affiliate, subsidiary, or association may not make a contribution for a political
24 purpose.
- 25 5. A corporation, cooperative corporation, limited liability company, affiliate, subsidiary, or
26 association may make a donation of property or money to a state political party or
27 nonprofit entity affiliated with or under the control of a state political party for deposit in
28 a separate and segregated building fund.
- 29 6. A corporation, cooperative corporation, limited liability company, affiliate, subsidiary, or
30 association may make an expenditure to a measure committee for the purpose of
31 promoting the passage or defeat of an initiated or referred measure or petition or make

- 1 an expenditure to any other person making an independent expenditure. A
2 corporation, cooperative corporation, limited liability company, affiliate, subsidiary, or
3 association may make an independent expenditure for a political purpose, including
4 political advertising in support of or opposition to a candidate, political committee, or a
5 political party, or for the purpose of promoting passage or defeat of initiated or referred
6 measures or petitions. The corporation, cooperative corporation, limited liability
7 company, affiliate, subsidiary, or association shall file a statement disclosing any
8 expenditure made under this subsection with the secretary of state within forty-eight
9 hours after making the expenditure. The statement must include:
- 10 a. The full name of the corporation, cooperative corporation, limited liability
11 company, affiliate, subsidiary, or association;
- 12 b. The complete address of the corporation, cooperative corporation, limited liability
13 company, affiliate, subsidiary, or association;
- 14 c. The name of the recipient of the expenditure;
- 15 d. If the expenditure is related to a measure or petition, the title of the measure or
16 petition and whether the expenditure is made in support of or opposition to the
17 measure or petition;
- 18 e. If the expenditure is related to a measure, the election date on which the
19 measure either will appear or did appear on the ballot;
- 20 f. The amount of the expenditure;
- 21 g. The cumulative total amount of expenditures since the beginning of the calendar
22 year which are required to be reported under this subsection;
- 23 h. The telephone number and the printed name and signature of the individual
24 completing the statement, attesting to the statement being true, complete, and
25 correct; and
- 26 i. The date on which the statement was signed.
- 27 7. A violation of this section may be prosecuted in the county where the contribution is
28 made or in any county in which it has been paid or distributed.
- 29 8. It is a class A misdemeanor for an officer, director, stockholder, manager, governor,
30 member, attorney, agent, or representative of any corporation, cooperative
31 corporation, limited liability company, affiliate, subsidiary, or association to violate this

1 section or to counsel or consent to any violation. Any person that solicits or knowingly
2 receives any contribution in violation of this section is guilty of a class A misdemeanor.

3 9. Any officer, director, stockholder, manager, governor, member, attorney, agent, or
4 representative who makes, counsels, or consents to the making of a contribution in
5 violation of this section is liable to the company, corporation, limited liability company,
6 affiliate, subsidiary, or association for the amount so contributed.

7 **16.1-08.2-08. Special requirements for conduits.**

8 A conduit transferring any contribution to a candidate, political party, or political committee
9 shall provide the recipient of the contribution a detailed statement listing the name and address
10 of each individual contributor, the amount of each contribution, and the date each contribution
11 was deposited. The conduit also shall include on the statement the occupation, employer, and
12 principal place of business of each contributor, or the political committee if not already
13 registered according to state or federal law, which contributed five thousand dollars or more in
14 the aggregate during a reporting period applicable to the candidate, political party, or political
15 committee. The conduit shall provide the statement to the candidate, political party, or political
16 committee in a manner to allow the candidate, political party, or political committee to file any
17 statement required to be filed under this chapter.

18 **16.1-08.2-09. General prohibitions.**

- 19 1. A foreign national may not make or offer to make, directly or indirectly, a contribution
20 or expenditure in connection with any election.
- 21 2. A candidate, candidate committee, political committee, political party, or any other
22 person may not solicit, accept, or receive, directly or indirectly, a contribution from a
23 foreign national.
- 24 3. A candidate may not use any contribution deposited by the candidate, the candidate's
25 candidate committee, or a multicandidate political committee to:
- 26 a. Give a personal benefit to the candidate or another person;
27 b. Make a loan to another person;
28 c. Knowingly pay more than the fair market value for goods or services purchased
29 for the campaign; or
30 d. Pay a criminal fine or civil penalty.

1 4. If the secretary of state has substantial reason to believe any person knowingly
2 violated this section, the secretary shall arrange for an audit as authorized by section
3 16.1-08.2-10.

4 5. A person may not be excused from attending and testifying or producing any books,
5 papers, or other documents before any court upon any investigation, proceeding, or
6 trial for a violation of any of the provisions of this chapter, upon the grounds that the
7 testimony or evidence, documentary or otherwise, required of the person may tend to
8 incriminate or degrade the person. A person may not be prosecuted or subjected to
9 any penalty or forfeiture for or on account of any transaction, matter, or thing
10 concerning which the person may testify or produce evidence, documentary or
11 otherwise. Any testimony given or produced may not be used against the person in
12 any criminal investigation or proceeding.

13 **16.1-08.2-10. Audit by secretary of state.**

14 1. If a substantial irregularity is evident or reasonably alleged, the secretary of state may
15 arrange an audit of any statement filed pursuant to this chapter, to be performed by a
16 certified public accountant of the filer's choice, subject to approval by the secretary of
17 state. If an audit of a statement arranged by the secretary of state under this
18 subsection reveals a violation of this chapter, the candidate, political party, political
19 committee, or other person filing the statement shall pay a fine to the secretary of state
20 equal to two hundred percent of the aggregate of contributions and expenditures
21 found to be in violation or an amount sufficient to pay the cost of the audit, whichever
22 is greater. If an audit of a statement arranged by the secretary of state under this
23 subsection does not reveal a violation of this chapter, the cost of the audit must be
24 paid for by the secretary of state.

25 2. If a substantial irregularity is reasonably alleged, the secretary of state may arrange an
26 audit of any statement filed pursuant to this chapter, performed by a certified public
27 accountant of the filer's choice, subject to approval by the secretary of state, upon
28 written request by any interested party made to the secretary of state within thirty days
29 following receipt of a statement by the secretary of state. The request must be made in
30 writing, recite a substantial irregularity and a lawful reason for requesting an audit, and
31 be accompanied by a bond in an amount established by the secretary of state

1 sufficient to pay the cost of the audit. If an audit of a statement arranged by the
2 secretary of state under this subsection reveals a violation of this chapter, the
3 candidate, political party, or political committee filing the statement shall pay a fine to
4 the secretary of state equal to two hundred percent of the aggregate of contributions
5 and expenditures found to be in violation or an amount sufficient to pay the cost of the
6 audit, whichever is greater, and the bond must be returned to the person submitting it.
7 If an audit of a statement arranged by the secretary of state under this subsection
8 does not reveal a violation of this chapter, the cost of the audit must be satisfied from
9 the bond filed with the secretary of state.

10 3. An audit may not be made or requested of a statement for the sole reason that it was
11 not timely filed with the secretary of state. An audit made or arranged according to this
12 section must audit only those items required to be included in any statement,
13 registration, or report filed with the secretary of state according to this chapter. The
14 secretary of state may collect any payment obligation arising out of this section by civil
15 action or by assignment to a collection agency, with any costs of collection to be
16 added to the amount owed and to be paid by the delinquent filer. Any remaining
17 moneys collected by the secretary of state after an audit is paid for under this section
18 must be deposited in the state's general fund. This section does not apply to
19 statements filed by candidates or candidate committees for candidates for county, city,
20 or school district offices.

21 **16.1-08.2-11. Filing officer to charge and collect filing fees.**

- 22 1. If a statement or report required to be filed according to this chapter is not filed within
23 the prescribed time, the filing officer to whom the report was to be filed is authorized to
24 charge and collect a late fee as follows:
25 a. Within six days after the prescribed time, one hundred dollars;
26 b. Within thirteen days after the prescribed time, two hundred fifty dollars; and
27 c. Thereafter, five hundred dollars.
28 2. Any amendment filed by the candidate, candidate committee, multicandidate
29 committee, political committee, or political party, or at the request of the filing officer,
30 the filing officer to whom the report was to be filed is authorized to charge and collect a
31 late fee as follows:

a. Within six days after the date the amendment was due, one hundred dollars;

b. Within eleven days after the date the amendment was due, two hundred fifty dollars; and

c. Thereafter, five hundred dollars.

3. Any fines paid under this section must be reported on the statement filed by the candidate, candidate committee, multicandidate committee, political committee, or political party.

4. The filing officer may collect any payment obligation arising out of this section by civil action or by assignment to a collection agency, with any costs of collection to be added to the amount owed and to be paid by the delinquent filer.

16.1-08.2-12. Secretary of state to provide instruction and adjust thresholds for inflation.

1. The secretary of state shall provide instructions and conduct training for the purpose of promoting uniform application of campaign finance and disclosure requirements and the uniform filing of statements, registrations, or reports according to this chapter.

2. The secretary of state shall adjust for inflation the reporting thresholds in this chapter by one hundred dollars once every ten years from the last calendar year of adjustment and inform persons submitting reports under this chapter of the adjustments. The secretary of state shall make the adjustments beginning January first of each adjustment year beginning January 1, 2026.

16.1-08.2-13. Penalty.

Except as otherwise provided, any person who willfully violates any provision of this chapter is guilty of a class A misdemeanor.

SECTION 5. AMENDMENT. Subdivision b of subsection 2 of section 16.1-10-02 of the North Dakota Century Code is amended and reenacted as follows:

b. "Property" includes motor vehicles, telephones, typewriters, adding machines, postage or postage meters, funds of money, and buildings. However, nothing in this section may be construed to prohibit any candidate, political party, committee, or organization from using any public building for such political meetings as may be required by law, or to prohibit such candidate, party, committee, or organization from hiring the use of any public building for any

political purpose if such lease or hiring is otherwise permitted by law. The term does not include the executive mansion as provided under chapter 54-21.

SECTION 6. AMENDMENT. Section 16.1-10-04.1 of the North Dakota Century Code is amended and reenacted as follows:

16.1-10-04.1. Certain political advertisements to disclose name of sponsor - Name disclosure requirements.

Every political advertisement by newspaper, pamphlet or folder, display card, sign, poster, or billboard, website, or by any other similar public means, on behalf of or in opposition to any candidate for public office, designed to assist, injure, or defeat the candidate by reflecting upon the candidate's personal character or political action, or by a measure committee as described in section ~~16.1-08.1-01~~ 16.1-08.2-01, or a corporation making an independent expenditure either for or against a measure, must disclose on the advertisement the name of the person, as defined in section ~~16.1-08.1-01~~ 16.1-08.2-01, or political party paying for the advertisement. If the name of a political party, association, or partnership is used, the disclaimer must also include the name of the chairman or other responsible individual from the political party, association, or partnership. The name of the person paying for any radio or television broadcast containing any advertising announcement for or against any candidate for public office must be announced at the close of the broadcast. If the name of a political party, association, or partnership is used, the disclaimer must also include the name of the chairman or other responsible individual from the political party, association, or partnership. In every political advertisement in which the name of the person paying for the advertisement is disclosed, the first and last name of any named individual must be disclosed. An advertisement paid for by an individual candidate or group of candidates must disclose that the advertisement was paid for by the individual candidate or group of candidates. The first and last name or names of the candidates paying for the advertisement are not required to be disclosed. This section does not apply to campaign buttons.

SECTION 7. AMENDMENT. Subdivision f of subsection 8 of section 51-28-01 of the North Dakota Century Code is amended and reenacted as follows:

- f. By or on behalf of a political party, candidate, or other group with a political purpose, as defined in section ~~16.1-08.1-01~~ 16.1-08.2-01, unless the communication is a text message.

1 **SECTION 8. AMENDMENT.** Subsection 11 of section 54-66-01 of the North Dakota Century
2 Code is amended and reenacted as follows:

3 11. "Ultimate and true source" means the person that knowingly contributed over two
4 hundred fifty dollars solely to lobby or influence state government action.

5 **SECTION 9. AMENDMENT.** Section 54-66-02 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **54-66-02. Disclosure of ultimate and true source of funds.**

8 1. A lobbyist who expends an amount greater than two hundred fifty dollars to lobby shall
9 file with the secretary of state a report that includes the known ultimate and true
10 source of funds for the expenditure. The report must be filed with the lobbyist
11 expenditure report required under subsection 2 of section 54-05.1-03.

12 2. A person that expends an amount greater than two hundred fifty dollars, not including
13 the individual's own travel expenses and membership dues, to influence state
14 government action shall file with the secretary of state a report including the known
15 ultimate and true source of funds for the expenditure. A report under this subsection
16 must be filed on or before the August first following the date of the expenditure. The
17 secretary of state shall provide a form for reports under this subsection and make the
18 form electronically accessible to the public. The secretary of state also shall charge
19 and collect fees for late filing of the reports as follows:

- 20 a. Twenty-five dollars for a report filed within sixty days after the deadline; or
21 b. Fifty dollars for a report filed more than sixty days after the deadline.

22 3. The secretary of state shall compile the reports required under this section and make
23 the reports electronically accessible to the public.

24 4. A resident taxpayer may commence an action in a district court of this state against a
25 person required to comply with this section to compel compliance if all other
26 enforcement measures under this chapter have been exhausted and the taxpayer
27 reasonably believes the person has failed to comply with this section.

28 5. The secretary of state shall ~~determine adjustments~~ adjust for inflation ~~of~~ the reporting
29 thresholds in this section by one hundred dollars once every ten years from the last
30 calendar year of adjustment and instruct persons submitting reports under this section
31 of the adjustments. ~~On~~ The secretary of state shall make the adjustment by January

1 first of each adjustment year, ~~the secretary shall determine whether the accumulated~~
2 ~~change in the consumer price index for all urban consumers (all items, United States~~
3 ~~city average), as applied to each reporting threshold in this section, would result in an~~
4 ~~adjustment of at least ten dollars of the threshold in effect on that date. If so, the~~
5 ~~secretary of state shall deem the reporting threshold adjusted by ten dollars.~~

6 **SECTION 10. REPEAL.** Chapter 16.1-08.1 of the North Dakota Century Code is repealed.

7 **SECTION 11. APPLICATION.** A person required to file a campaign disclosure statement
8 under sections 16.1-08.1-02.1, 16.1-08.1-02.2, 16.1-08.1-02.3, and 16.1-08.1-02.4 disclosing
9 contributions received and expenditures made from January first through December thirty-first
10 of 2025, shall file the statement pursuant to the statutory requirements under chapter 16.1-08.1
11 as it existed prior to its repeal.

12 **SECTION 12. EFFECTIVE DATE.** Sections 1, 2, 3, 4, 6, 7, 8, 9, and 10 of this Act become
13 effective on January 1, 2026.

**REPORT OF STANDING COMMITTEE
ENGROSSED HB 1377**

State and Local Government Committee (Sen. Roers, Chairman) recommends **AMENDMENTS** ([25.0517.03002](#)) and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT OR EXCUSED AND NOT VOTING). Engrossed HB 1377 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

25.0517.03002
Title.

Prepared by the Legislative Council
staff for Senator Roers
April 21, 2025

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO FIRST ENGROSSMENT

ENGROSSED HOUSE BILL NO. 1377

Introduced by

Representatives D. Ruby, Henderson, Kasper, Kempenich, Koppelman, Wolff

Senators Boehm, Hogue, Myrdal, Wobbema

A BILL for an Act to create and enact chapter 16.1-08.2 of the North Dakota Century Code, relating to campaign disclosure statements; to amend and reenact ~~subsection 17 of section 16.1-08.1-01, subsection 4 of section 16.1-08.1-02.1, sections 16.1-08.1-02.3 and 16.1-08.1-02.4, subsection 3 of section 16.1-08.1-03.2, sections 16.1-08.1-03.7 and 16.1-08.1-06.2~~ 15.1-09-08, 15.1-09-19, and 16.1-01-12, subdivision b of subsection 2 of section 16.1-10-02, section 16.1-10-04.1, subdivision f of subsection 8 of section 51-28-01, subsection 11 of section 54-66-01, and section 54-66-02 of the North Dakota Century Code, relating to campaign disclosure statements, authorized use of state property for political purposes, and inflationary adjustments for campaign finance reporting thresholds; to repeal chapter 16.1-08.1 of the North Dakota Century Code, relating to campaign disclosure statements; to provide a penalty; to provide for application; and to provide an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

~~SECTION 1. AMENDMENT. Subsection 17 of section 16.1-08.1-01 of the North Dakota Century Code is amended and reenacted as follows:~~

~~17. "Ultimate and true source" means the person that knowingly contributed over two hundred fifty dollars solely to influence a statewide election or an election for the legislative assembly.~~

~~SECTION 2. AMENDMENT. Subsection 4 of section 16.1-08.1-02.1 of the North Dakota Century Code is amended and reenacted as follows:~~

~~4. The statement filed according to this section must show the following:~~

- 1 ~~_____ a. The balance of the filer's convention accounts at the start and close of the~~
2 ~~reporting period;~~
3 ~~_____ b. The total of all revenue received and expenditures made of two hundred fifty~~
4 ~~dollars, or less;~~
5 ~~_____ c. The total of all revenue received and expenditures made in excess of two~~
6 ~~hundred fifty dollars;~~
7 ~~_____ d. For each aggregated revenue received from a person in excess of two hundred~~
8 ~~fifty dollars:~~
9 ~~_____ (1) The name of each person;~~
10 ~~_____ (2) The mailing address of each person;~~
11 ~~_____ (3) The date of the most recent receipt of revenue from each person; and~~
12 ~~_____ (4) The purpose or purposes for which the aggregated revenue total was~~
13 ~~received from each person;~~
14 ~~_____ e. For each aggregated expenditure made to a person in excess of two hundred fifty~~
15 ~~dollars:~~
16 ~~_____ (1) The name of each person or entity;~~
17 ~~_____ (2) The mailing address of each person or entity;~~
18 ~~_____ (3) The date of the most recent expense made to each person or entity; and~~
19 ~~_____ (4) The purpose or purposes for which the aggregated expenditure total was~~
20 ~~disbursed to each person or entity; and~~
21 ~~_____ f. For each aggregated revenue from an individual which totals five thousand~~
22 ~~dollars or more during the reporting period, the occupation, employer, and~~
23 ~~principal place of business of the individual must be disclosed.~~
24 ~~_____ **SECTION 3. AMENDMENT.** Section 16.1-08.1-02.3 of the North Dakota Century Code is~~
25 ~~amended and reenacted as follows:~~
26 ~~_____ **16.1-08.1-02.3. Pre-election, supplemental, and year-end campaign disclosure**~~
27 ~~**statement requirements for candidates, candidate committees, multicandidate**~~
28 ~~**committees, and nonstatewide political parties.**~~
29 ~~_____ 1. Prior to the thirty-first day before a primary, general, or special election, a candidate or~~
30 ~~candidate committee formed on behalf of the candidate, a multicandidate political~~
31 ~~committee, or a political party other than a statewide political party soliciting or~~

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

8 ~~a. For each aggregated contribution from a contributor which totals in excess of two~~
9 ~~hundred fifty 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 of~~
14 ~~two hundred fifty dollars during the reporting period;~~

15 ~~c. The total of all contributions received from contributors that contributed two~~
16 ~~hundred fifty 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.~~

21 ~~2. Beginning on the thirty-ninth day before the election through the day before the~~
22 ~~election, a person that files a statement under subsection 1 must file a supplemental~~
23 ~~statement within forty-eight hours of the start of the day following the receipt of a~~
24 ~~contribution or aggregate contribution from a contributor which is in excess of five~~
25 ~~hundred dollars. The statement must include:~~

26 ~~a. The name and mailing address of the contributor;~~

27 ~~b. The total amount of the contribution received during the reporting period; and~~

28 ~~c. The date the last contributed amount was received.~~

29 ~~3. Prior to February first, a candidate or candidate committee, a multicandidate political~~
30 ~~committee, or a nonstatewide political party soliciting or accepting contributions shall~~
31 ~~file a campaign disclosure statement that includes all contributions received and~~

expenditures, by expenditure category, made from January first through December thirty-first of the previous year. The statement may be submitted for filing beginning on January first. The statement must include:

~~a. For a statewide candidate, a candidate committee formed on behalf of a statewide candidate, and a statewide multicandidate committee, the balance of the campaign fund on January first and on December thirty-first;~~

~~b. For each aggregated contribution from a contributor which totals in excess of two hundred fifty dollars received during the reporting period:~~

~~(1) The name and mailing address of the contributor;~~

~~(2) The total amount of the contribution; and~~

~~(3) The date the last contributed amount was received;~~

~~c. The total of all aggregated contributions from contributors which total in excess of two hundred fifty dollars during the reporting period;~~

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

~~e. The total of all other expenditures made during the previous year, separated into expenditure categories.~~

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

~~5. A candidate for city office in a city with a population under five thousand and a candidate committee for the candidate are exempt from this section. A candidate for school district office in a school district with a fall enrollment of fewer than one thousand students and a candidate committee for the candidate are exempt from this section.~~

~~6. A candidate for county office and a candidate committee for a candidate for county office shall file statements under this chapter with the county auditor. A candidate for~~

city office who is required to file a statement under this chapter and a candidate-
committee for such a candidate shall file statements with the city auditor. A candidate-
for school district office who is required to file a statement under this chapter and a
candidate committee for such a candidate shall file statements with the school district
business manager. Any other person required to file a statement under this section
shall file the statement with the secretary of state.

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

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

~~**SECTION 4. AMENDMENT.** Section 16.1-08.1-02.4 of the North Dakota Century Code is
amended and reenacted as follows:~~

~~**16.1-08.1-02.4. Pre-election, supplemental, and year-end campaign disclosure
statement requirements for statewide political parties and certain political committees.**~~

~~1. Prior to the thirty-first day before a primary, general, or special election, a statewide
political party or a political committee not required to file statements under section
16.1-08.1-02.3 which is soliciting or accepting contributions shall file a campaign
disclosure statement that includes all contributions received and expenditures made
from January first through the fortieth day before the election. A political party that has
not endorsed or nominated a candidate in an election is not required to file a
statement under this subsection. A statement required to be filed under this subsection
may be submitted for filing beginning on the thirty-ninth day before the election. The
statement must include:~~

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

~~(1) The name and mailing address of the contributor;~~

~~(2) The total amount of the contribution; and~~

~~(3) The date the last contributed amount was received;~~

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

- ~~c. The total of all contributions received from contributors that contributed two hundred fifty dollars or less each during the reporting period;~~
- ~~d. For each recipient of an expenditure from campaign funds in excess of two hundred fifty dollars in the aggregate:~~
 - ~~(1) The name and mailing address of the recipient;~~
 - ~~(2) The total amount of the expenditure made to the recipient; and~~
 - ~~(3) The date the last expended amount was made to the recipient;~~
- ~~e. The aggregate total of all expenditures from campaign funds in excess of two hundred fifty dollars;~~
- ~~f. The aggregate total of all expenditures from campaign funds of two hundred fifty dollars or less; and~~
- ~~g. The balance of the campaign fund on the fortieth day before the election and balance of the campaign fund on January first.~~
- ~~2. Beginning on the thirty-ninth day before the election through the day before the election, a person that files a statement under subsection 1 must file a supplemental statement within forty-eight hours of the start of the day following the receipt of a contribution or aggregate contribution from a contributor which is in excess of five hundred dollars. The statement must include:~~
 - ~~a. The name and mailing address of the contributor;~~
 - ~~b. The total amount of the contribution received during the reporting period; and~~
 - ~~c. The date the last contributed amount was received.~~
- ~~3. Prior to February first, a statewide political party or a political committee that is not required to file a statement under section 16.1-08.1-2.3 shall file a campaign disclosure statement that includes all contributions received and expenditures made from January first through December thirty-first of the previous year. The statement may be submitted for filing beginning on January first. The statement must include:~~
 - ~~a. For each aggregated contribution from a contributor which totals in excess of two hundred fifty dollars received during the reporting period:~~
 - ~~(1) The name and mailing address of the contributor;~~
 - ~~(2) The total amount of the contribution; and~~
 - ~~(3) The date the last contributed amount was received;~~

- ~~_____ b. The total of all aggregated contributions from contributors which total in excess of two hundred fifty dollars during the reporting period;~~
- ~~_____ c. The total of all contributions received from contributors that contributed two hundred fifty dollars or less each during the reporting period;~~
- ~~_____ d. For each recipient of an expenditure from campaign funds in excess of two hundred fifty dollars in the aggregate:~~
- ~~_____ (1) The name and mailing address of the recipient;~~
- ~~_____ (2) The total amount of the expenditure made to the recipient; and~~
- ~~_____ (3) The date the last expended amount was made to the recipient;~~
- ~~_____ e. The aggregate total of all expenditures from campaign funds in excess of two hundred fifty dollars;~~
- ~~_____ f. The aggregate total of all expenditures from campaign funds of two hundred fifty dollars or less; and~~
- ~~_____ g. The balance of the campaign fund on January first and December thirty-first.~~
- ~~_____ 4. A person required to file a statement under this section shall disclose each aggregated contribution from a contributor which totals five thousand dollars or more during the reporting period. For these contributions from individuals, the statement must include the contributor's occupation, employer, and the employer's principal place of business.~~
- ~~_____ 5. Statements under this section must be filed with the secretary of state.~~
- ~~_____ 6. The secretary of state shall assess and collect fees for any reports filed after the filing deadline.~~
- ~~_____ **SECTION 5. AMENDMENT.** Subsection 3 of section 16.1-08.1-03.2 of the North Dakota Century Code is amended and reenacted as follows:~~
- ~~_____ 3. A political committee that organizes and registers according to federal law and makes an independent expenditure or makes a disbursement in excess of two hundred fifty dollars to a nonfederal candidate seeking public office, a political party, or political committee in this state is not required to register as a political committee according to this section if the political committee reports according to section 16.1-08.1-03.7.~~
- ~~_____ **SECTION 6. AMENDMENT.** Section 16.1-08.1-03.7 of the North Dakota Century Code is amended and reenacted as follows:~~

~~16.1-08.1-03.7. Political committees that organize and register according to federal law that make independent expenditures or disbursements to nonfederal candidates, political parties, and political committees.~~

~~— A political committee that organizes and registers according to federal law and makes an independent expenditure or makes a disbursement in excess of two hundred fifty dollars to a nonfederal candidate seeking public office or to a political party or political committee in this state shall file a copy of that portion of the committee's federal report detailing the independent expenditure or the disbursement made. The political committee shall file a copy of the committee's federal report, and supplementary information as necessary under this section, with the secretary of state at the time of filing the report with the applicable federal agency. The report and supplementary information must include:~~

~~1. The name, mailing address, and treasurer of the political committee;~~

~~2. The recipient's name and mailing address;~~

~~3. The date and amount of the independent expenditure or disbursement; and~~

~~4. The ultimate and true source of funds listed by contributor and subcontributor of any amount over two hundred fifty dollars collected or used to make the independent expenditure or disbursement including:~~

~~a. The name and address of the contributor;~~

~~b. The total amount of the contribution; and~~

~~c. The date the last contribution was received.~~

~~**SECTION 7. AMENDMENT.** Section 16.1-08.1-06.2 of the North Dakota Century Code is amended and reenacted as follows:~~

~~**16.1-08.1-06.2. Secretary of state to provide instructions, make adjustments for inflation, and conduct training.**~~

~~1. The secretary of state shall provide instructions and conduct training for the purpose of promoting uniform application of campaign finance and disclosure requirements and the uniform filing of statements, registrations, or reports according to this chapter.~~

~~2. The secretary alsoof state shall determine adjustmentsadjust for inflation of the reporting thresholds in this chapter by one hundred dollars once every ten years from the last calendar year of adjustment and instruct persons submitting reports under this chapter of the adjustments. OnThe secretary of state shall make the adjustment by~~

~~January first of each adjustment year, the secretary shall determine whether the accumulated change in the consumer price index for all urban consumers (all items, United States city average), as applied to each reporting threshold in this chapter, would result in an adjustment of at least ten dollars of the threshold in effect on that date. If so, the secretary shall deem the reporting threshold adjusted by ten dollars.~~

SECTION 1. AMENDMENT. Section 15.1-09-08 of the North Dakota Century Code is amended and reenacted as follows:

15.1-09-08. School district elections - Candidate filings.

An individual seeking election to the board of a school district shall prepare and sign a document stating the individual's name and the position for which that individual is a candidate. A candidate shall also file a statement of interests as required by section 16.1-09-02. Whether or not the election is held in conjunction with a statewide election, all statements of interest must be filed with the school district business manager, or mailed to and in the possession of the business manager, by four p.m. of the sixty-fourth day before the election. A candidate shall also file a campaign contribution statement as required by section ~~16.1-08.1-02.3~~ 16.1-08.2-03.

SECTION 2. AMENDMENT. Section 15.1-09-19 of the North Dakota Century Code is amended and reenacted as follows:

15.1-09-19. Duties of election officials - Other applicable statutes.

Sections ~~16.1-08.1-03.3~~ 16.1-08.2-07, 16.1-10-01, 16.1-10-06, 16.1-10-06.1, 16.1-10-07, 16.1-10-08, 16.1-13-22, 16.1-13-23, 16.1-13-30, 16.1-15-01, 16.1-15-04, and 16.1-16-04 apply to elections held under sections 15.1-09-09 and 15.1-09-11.

SECTION 3. AMENDMENT. Section 16.1-01-12 of the North Dakota Century Code is amended and reenacted as follows:

16.1-01-12. Election offenses - Penalty.

1. It is unlawful for an individual, measure committee as described in section

~~16.1-08.1-01~~ 16.1-08.2-01, or other organization to:

- a. Fraudulently alter another individual's ballot, substitute one ballot for another, or otherwise defraud a voter of that voter's vote.
- b. Cause a disturbance, breach the peace, or obstruct a qualified elector or a member of the election board on the way to or at a polling place.
- c. Vote more than once in any election.

- 1 d. Knowingly vote in the wrong election precinct or district.
- 2 e. Disobey the lawful command of an election officer as defined in chapter 16.1-05.
- 3 f. Knowingly exclude a qualified elector from voting or knowingly allow an
- 4 unqualified individual to vote.
- 5 g. Knowingly vote when not qualified to do so.
- 6 h. Sign an initiative, referendum, recall, or any other election petition when not
- 7 qualified to do so.
- 8 i. Circulate an initiative, referendum, recall, or any other election petition not in its
- 9 entirety or when unqualified to do so.
- 10 j. Pay or offer to pay any individual, measure committee, or other organization, or
- 11 receive payment or agree to receive payment, on a basis related to the number
- 12 of signatures obtained for circulating an initiative, referendum, or recall petition.
- 13 This subsection does not prohibit the payment of salary and expenses for
- 14 circulation of the petition on a basis not related to the number of signatures
- 15 obtained, as long as the circulators file the intent to remunerate before submitting
- 16 the petitions and, in the case of initiative and referendum petitions, fully disclose
- 17 all contributions received pursuant to chapter ~~16.1-08.1~~16.1-08.2 to the secretary
- 18 of state upon submission of the petitions. The disclosure of contributions received
- 19 under this section does not affect the requirement to file a pre-election report by
- 20 individuals or organizations soliciting or accepting contributions for the purpose of
- 21 aiding or opposing the circulation or passage of a statewide initiative or
- 22 referendum petition or measure placed upon a statewide ballot by action of the
- 23 legislative assembly under chapter ~~16.1-08.1~~16.1-08.2. Any signature obtained in
- 24 violation of this subdivision is void and may not be counted.
- 25 k. Willfully fail to perform any duty of an election officer after having accepted the
- 26 responsibility of being an election officer by taking the oath as prescribed in this
- 27 title.
- 28 l. Willfully violate any rule adopted by the secretary of state pursuant to this title.
- 29 m. Willfully make any false canvass of votes, or make, sign, publish, or deliver any
- 30 false return of an election, knowing the canvass or return to be false; or willfully

deface, destroy, or conceal any statement or certificate entrusted to the individual's or organization's care.

n. Destroy ballots, ballot boxes, election lists, or other election supplies except as provided by law, or negatively impact the confidentiality, integrity, or availability of any system used for voting.

o. Sign a name other than that individual's own name to an initiative, referendum, recall, or any other election petition.

p. Willfully submit an initiative or referendum petition that contains one or more fraudulent signatures.

2. a. A violation of subdivisions b, e, f, or h through l of subsection 1 is a class A misdemeanor.

b. A violation of subdivisions a, c, d, g, or m of subsection 1 is a class C felony.

c. A violation of subdivision n of subsection 1 is a class C felony.

d. A violation of subdivision o of subsection 1 is a class A misdemeanor if an individual signs one or two names other than the individual's own name to a petition and is a class C felony if an individual signs more than two names other than the individual's own name to a petition.

e. An organization, as defined in section 12.1-03-04, that violates this section is subject to the organizational fines in section 12.1-32-01.1. The court in which the conviction is entered shall notify the secretary of state of the conviction and shall order the secretary of state to revoke the certificate of authority of any convicted organization or limited liability company. The organization may not reapply to the secretary of state for authorization to do business under any name for one year upon conviction of a class A misdemeanor and for five years upon conviction of a class C felony under this section, except an organization operating a signature gathering business, or similar enterprise, that violates subdivision p of subsection 1, and is convicted of fraud, is subject to a class A misdemeanor and may not reapply to the secretary of state for authorization to do business under any name for five years following the entry of judgment.

f. A violation of subdivision p of subsection 1 by any member of a measure committee, including an initiative or referendum sponsoring committee 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 is subject to a civil penalty of not more than three thousand dollars. The civil penalty may be recovered in an action brought in the district court of Burleigh County by the attorney general.

g. An individual who is a member of an organization may be convicted of a violation as an accomplice under section 12.1-03-01.

3. Every act this chapter makes criminal when committed with reference to the election of a candidate is equally criminal when committed with reference to the determination of a question submitted to qualified electors to be decided by votes cast at an election.

SECTION 4. Chapter 16.1-08.2 of the North Dakota Century Code is created and enacted as follows:

16.1-08.2-01. Definitions.

1. "Affiliate" means an organization controlling, is controlled by, or is under common control with another organization. For purposes of this definition, control means the possession, direct or indirect, of the power to direct or cause the direction of the management and policies of an organization, whether through the ownership of voting securities, by contract other than a commercial contract for goods or nonmanagement services, or otherwise. Control is presumed to exist if an organization, directly or indirectly, owns, controls, holds with the power to vote, or holds proxies representing fifty percent or more of the voting securities of any other organization.

2. "Association" means any club, association, union, brotherhood, fraternity, organization, or group of any kind of two or more persons, including labor unions, trade associations, professional associations, or governmental associations, which is united for any purpose, business, or object and which assesses any dues, membership fees, or license fees in any amount, or which maintains a treasury fund in any amount. The term does not include corporations, cooperative corporations, limited liability companies, political committees, or political parties.

3. "Conduit" means a person that is not a political party, political committee, or candidate and which receives a contribution of money and transfers the contribution to a candidate, political party, or political committee when the contribution is designated

specifically for the candidate, political party, or political committee and the person has no discretion as to the recipient and the amount transferred. The term includes a transactional intermediary, including a credit card company or a money transfer service paying or transferring money to a candidate on behalf of another person.

4. "Contribution" means a gift, transfer, conveyance, provision, receipt, subscription, loan, advance, deposit of money, or anything of value, made for the purpose of influencing the nomination for election, or election, of any person to public office or aiding or opposing the circulation or passage of a statewide initiative or referendum petition or measure. The term also means a contract, promise, or agreement, express or implied, whether or not legally enforceable, to make a contribution for any of the above purposes. The term includes funds deposited by a candidate for public office or a political party or committee which are transferred or signed over to that candidate, party, or committee from another candidate, party, or political committee or other source including a conduit. The term "anything of value" includes any good or service of more than a nominal value. The term "nominal value" means the cost, price, or worth of the good or service is trivial, token, or of no appreciable value. The term "contribution" does not include:

- a. A loan of money from a bank or other lending institution made in the regular course of business.
- b. Time spent by volunteer campaign or political party workers.
- c. Money or anything of value deposited for commercial transactions, including rents, advertising, or sponsorships made as a part of a fair market value bargained-for exchange.
- d. Money or anything of value deposited for anything other than a political purpose.
- e. Products or services for which the actual cost or fair market value are reimbursed by a payment of money.
- f. An independent expenditure.
- g. The value of advertising paid by a political party, multicandidate political committee, or caucus which is in support of a candidate.
- h. In-kind contributions from a candidate to the candidate's campaign.

1 5. "Cooperative corporations", "corporations", and "limited liability companies" are as
2 defined in this code, and for purposes of this chapter "corporations" includes nonprofit
3 corporations. However, if a political committee, the only purpose of which is accepting
4 contributions and making expenditures for a political purpose, incorporates for liability
5 purposes only, the committee is not considered a corporation for the purposes of this
6 chapter.

7 6. "Expenditure" means:

8 a. A gift, transfer, conveyance, provision, loan, advance, payment, distribution,
9 disbursement, outlay, or deposit of money or anything of value, except a loan of
10 money from a bank or other lending institution made in the regular course of
11 business, made for a political purpose or for the purpose of influencing the
12 passage or defeat of a measure.

13 b. A contract, promise, or agreement, express or implied, whether or not legally
14 enforceable, to make any expenditure.

15 c. The transfer of funds by a political committee to another political committee.

16 d. An independent expenditure.

17 7. "Expenditure purpose" means the type of expense for which expenditures for a
18 political purpose occurred under this chapter.

19 8. "Foreign national" means:

20 a. A government or country other than the United States.

21 b. A political party organized under the laws of a country other than the United
22 States.

23 c. A corporation, partnership, association, organization, or other combination of
24 persons organized under the laws of or having its principal place of business in a
25 country other than the United States.

26 d. An individual with citizenship of a country other than the United States.

27 e. An individual who is not a citizen or national of the United States and is not
28 admitted lawfully to the United States for permanent residence.

29 9. "Independent expenditure" means an expenditure made for a political purpose or for
30 the purpose of influencing the passage or defeat of a measure if the expenditure is
31 made without the express or implied consent authorization, or cooperation of, and not

1 in concert with or at the request or suggestion of any candidate, committee, or political
2 party.

3 10. "Patron" means a person who owns equity interest in the form of stock, shares, or
4 membership or maintains similar financial rights in a cooperative corporation.

5 11. "Person" means an individual, partnership, political committee, association,
6 corporation, cooperative corporation, limited liability company, or other organization or
7 group of persons.

8 12. "Personal benefit" means a benefit to the candidate or another person which is not for
9 a political purpose or related to a candidate's responsibilities as a public officeholder,
10 and any other benefit that would convert a contribution to personal income.

11 13. "Political committee" means any committee, club, association, or other group of
12 persons which receives contributions or makes expenditures for political purposes and
13 includes:

14 a. A political action committee not connected to another organization and free to
15 solicit funds from the general public, or derived from a corporation, cooperative
16 corporation, limited liability company, affiliate, subsidiary, or an association, which
17 solicits or receives contributions from its employees or members or makes
18 expenditures for political purposes on behalf of its employees or members;

19 b. A candidate committee established to support an individual candidate seeking
20 public office, which solicits or receives contributions for political purposes;

21 c. A political organization registered with the federal election commission, which
22 solicits or receives contributions or makes expenditures for political purposes;

23 d. A multicandidate political committee, including a caucus, established to support
24 multiple groups or slates of candidates seeking public office, which solicits or
25 receives contributions for political purposes; and

26 e. A measure committee, including an initiative or referendum sponsoring
27 committee at any stage of its organization, which solicits or receives contributions
28 or makes expenditures for the purpose of supporting or opposing an initiative or
29 referendum petition, or measure sought to be voted upon by the voters of the
30 state, including any activities undertaken for the purpose of drafting an initiative

1 or referendum petition, seeking approval of the secretary of state for the
2 circulation of a petition, or seeking approval of the submitted petitions.

3 14. "Political party" means any association, committee, or organization which nominates a
4 candidate for election to any office which may be filled by a vote of the electors of this
5 state or any of its political subdivisions and whose name appears on the election ballot
6 as the candidate of the association, committee, or organization.

7 15. "Political purpose" means any activity undertaken in support of or in opposition to the
8 election or nomination of a candidate to public office and includes using "vote for",
9 "oppose", or any similar support or opposition language in any advertisement whether
10 the activity is undertaken by a candidate, a political committee, a political party, or any
11 person. The term includes paying any expenses related to the election or nomination
12 of a candidate. This term does not include activities undertaken in the performance of
13 a duty of a public office or any position taken in any bona fide news story, commentary
14 or editorial.

15 16. "Public office" means every office to which an individual can be elected by vote of the
16 people under the laws of this state.

17 17. "Subsidiary" means an affiliate of a corporation under the control of the corporation
18 directly or indirectly through one or more intermediaries.

19 18. "Ultimate and true source" means the person that knowingly contributed over two
20 hundred fifty dollars solely to influence a statewide election or an election for the
21 legislative assembly.

22 **16.1-08.2-02. General provisions.**

23 1. A political committee, except those defined in subdivision c of subsection 13 of section
24 16.1-08.2-01, shall register its name, mailing address, telephone number, and
25 nongovernment-issued electronic mail address, and its agent's name, mailing address,
26 telephone number, and nongovernment-issued electronic mail address, and a
27 designation as to whether the committee is incorporated solely for the purpose of
28 liability protection, with the secretary of state. A candidate who does not have a
29 candidate committee shall register the candidate's name, mailing address, telephone
30 number, and nongovernment-issued electronic mail address with the secretary of
31 state. If the candidate has an agent, the candidate also shall register the agent's

name, mailing address, telephone number, and nongovernment-issued electronic mail address with the secretary of state.

2. The registration required under this section for a candidate or political committee that has not previously registered with the secretary of state must be submitted within fifteen business days of the deposit date of any contribution or expenditure made.

3. A candidate or political committee required to be registered under this section shall register with the secretary of state each year during which the candidate holds public office or during which the political committee receives contributions, makes expenditures for political purposes, or has a balance in the campaign account. An individual who no longer holds public office or an individual who no longer seeks public office shall register with the secretary of state each year in which contributions are deposited, expenditures are made for political purposes, or a balance remains in the campaign account.

4. Any statement filed with the secretary of state under this chapter must be:

a. Filed electronically within the prescribed time and in the format established by the secretary of state. If the secretary of state does not receive a statement, an electronic duplicate of the statement must be filed promptly upon notice by the secretary of state of its nonreceipt. After a statement has been filed, the secretary of state may request or accept written clarification along with an amended statement from a candidate, political party, or political committee filing the statement when discrepancies, errors, or omissions on the statement are discovered by the secretary of state, the candidate, political party, or political committee filing the statement, or by any interested party reciting a lawful reason for requesting clarification and an amendment be made. When requesting an amended statement, the secretary of state shall establish a reasonable period of time, not to exceed ten days, agreed to by the candidate, political party, or political committee, for filing the amended statement with the secretary of state.

b. Preserved by the secretary of state for a period of ten years from the date of the filing deadline. The statement must be considered a part of the public records of the secretary of state's office and must be open to public inspection on the internet.

1 5. In determining the amount of individual contributions from any contributor, all amounts
2 deposited from the same contributor during the reporting period must be aggregated to
3 report an overall total contribution for the purposes of the statements required by this
4 chapter. Contributions made separately by different persons from joint accounts are
5 considered separate contributions for reporting purposes.

6 6. In determining the amount of expenditures to any recipient, all expenditures to the
7 same recipient during the reporting period must be aggregated to report an overall
8 total expenditure for the purposes of the statements required by this chapter.

9 7. Contributions and expenditures which are two hundred fifty dollars or less in the
10 aggregate are exempt records under chapter 44-04 and reported as part of aggregate
11 totals only.

12 8. In reporting a contribution deposited through a conduit, a candidate, political party, or
13 political committee shall list each reportable contribution identifying the person that
14 submitted the contribution to the conduit and provide the required information
15 regarding the contribution from that person rather than identifying the conduit as the
16 contributor.

17 9. A political committee organizing and registering according to federal law which makes
18 an independent expenditure or makes a disbursement in excess of two hundred fifty
19 dollars to a nonfederal candidate seeking public office, a political party, or political
20 committee shall report as a political committee according to sections 16.1-08.2-03 and
21 16.1-08.2-06.

22 10. To ensure accurate reporting and avoid commingling of campaign and personal funds,
23 candidates shall use dedicated campaign accounts that are separate from any
24 personal accounts.

25 11. Registration by a political committee under this section does not reserve the name for
26 exclusive use nor does it constitute registration of a trade name under chapter 47-25.

27 12. A candidate or candidate committee for a county office, city office, or school district
28 office are exempt from registering and filing with the secretary of state. Any other
29 person required to file a statement under this chapter shall file the statement with the
30 secretary of state.

a. A candidate for city office in a city with a population under five thousand and a candidate committee for the candidate are exempt from this chapter. A candidate for school district office in a school district with a fall enrollment of fewer than one thousand students and a candidate committee for the candidate are exempt from this chapter.

b. A candidate for county office and a candidate committee for a candidate for county office shall file statements under this chapter with the county auditor. A candidate for city office and a candidate committee for a candidate for city office shall file statements under this chapter with the city auditor. A candidate for school district office and a candidate committee for a candidate for school district office shall file statements under this chapter with the school business manager.

16.1-08.2-03. Pre-election, supplemental, and year-end campaign disclosure statement requirements for candidates, candidate committees, multicandidate committees, political committees, and political parties.

1. Before a primary or special election, and before and following a general election, a candidate or candidate committee formed on behalf of the candidate, a multicandidate political committee, a political committee, or a political party soliciting or accepting contributions shall file a campaign disclosure statement from:

- a. January first through April thirtieth before a primary election.
- b. May first through September thirtieth before a general election.
- c. October first through December thirty-first following a general election.
- d. January first through the fortieth day before a special election.

2. A candidate whose name is not on the ballot and who is not seeking election through write-in votes, the candidate's candidate committee, and a political party that has not endorsed or nominated any candidate in the election is not required to file a statement under subsection 1, but is required to file a statement under subsection 6.

3. The statement before a primary, general, or special election under subsection 1 may be submitted for filing beginning on the day following the end of the reporting period and must be submitted before the eighth day following the reporting period. The statement following the general election may be submitted for filing beginning on January first and must be submitted before February first.

1 4. A statement filed under subsection 1 must include the following information:

2 a. For each contribution deposited during the reporting period, the:

3 (1) Name and the city and state of the contributor;

4 (2) Total amount of the contribution; and

5 (3) Date the last contributed amount was deposited.

6 b. For each expenditure during the reporting period, the:

7 (1) Name of the recipient and location of purchase;

8 (2) Total amount of the expenditure made to the recipient;

9 (3) Date of the expenditure; and

10 (4) Expenditure purpose.

11 c. The total of all contributions and expenditures which total in excess of two

12 hundred fifty dollars during the reporting period.

13 d. The aggregated total of contributions and expenditures which are two hundred

14 fifty dollars or less during the reporting period.

15 e. For a candidate, a candidate committee formed on behalf of a candidate, a

16 multicandidate committee, or a political party, the balance of the campaign fund

17 on the last day of the reporting period and the balance of the campaign fund on

18 the first day of the reporting period.

19 5. Beginning on May first before a primary election, October first before a general

20 election, and thirty-nine days before a special election through the day before the

21 election, a person filing a statement under subsection 1 must file a supplemental

22 statement within forty-eight hours of the start of the day following the deposit of a

23 contribution or aggregate contribution from a contributor which is in excess of five

24 hundred dollars. The statement must include the:

25 a. Name and the city and state of the contributor;

26 b. Total amount of the contribution deposited during the reporting period; and

27 c. Date the last contributed amount was deposited.

28 6. Before February first, a candidate whose name is not on the ballot and who is not

29 seeking election through write-in votes or the candidate's candidate committee, a

30 multicandidate political committee, a political committee, or a political party soliciting or

31 accepting contributions not required to file a statement under subsection 1 shall file a

campaign disclosure statement including all contributions deposited and expenditures made from January first through December thirty-first of the previous year. The statement may be submitted for filing beginning on January first. The filer shall indicate on the report the corresponding reporting period, as described under section 1, in which each contribution was deposited and expenditure was made to determine whether the filer's aggregated totals exceed two hundred fifty dollars for the reporting period. The statement filed according to this section must include the following information:

a. For a candidate, a candidate committee formed on behalf of a candidate, a multicandidate committee, or political party, the balance of the campaign fund on January first and on December thirty-first.

b. For each contribution deposited during the reporting period, the:

(1) Name and the city and state of the contributor;

(2) Total amount of the contribution; and

(3) Date the last contributed amount was deposited.

c. For each expenditure during the reporting period, the:

(1) Name of the recipient and location of purchase;

(2) Total amount of the expenditure made to the recipient;

(3) Date of the expenditure; and

(4) Expenditure purpose.

d. The total of all contributions and expenditures which total in excess of two hundred fifty dollars during the reporting period.

e. The aggregated total of contributions and expenditures which are two hundred fifty dollars or less during the reporting period.

7. A candidate, a candidate committee formed on behalf of a candidate, or a multicandidate committee for county office, city office, or school district office shall report aggregated contributions and expenditures of two hundred fifty dollars or less under this section.

8. A person required to file a statement under this section shall report each aggregated contribution from a contributor which totals five thousand dollars or more during the

1 reporting period. For these contributions from individuals, the statement must include
2 the contributor's occupation, employer, and the employer's principal place of business.

3 9. A political committee that qualifies as a nonprofit entity under section 501(c)(4) of the
4 Internal Revenue Code [26 U.S.C. 501 (c)(4)] is not required to disclose the
5 information under this section.

6 10. A political committee that registers according to federal law and files a campaign
7 disclosure statement in accordance with this section is required to include only
8 contributions received or expenditures made for a nonfederal political purpose related
9 to this state or for the purpose of influencing an initiated petition or the passage or
10 defeat of a measure in this state.

11 11. A political committee that registers according to federal law is not required to file a
12 campaign disclosure statement in accordance with this section for a reporting period in
13 which the political committee maintains a campaign balance and does not receive a
14 contribution or make an expenditure that is reportable under this section.

15 **16.1-08.2-04. Special requirements for state political parties.**

16 1. State political parties shall establish separate and segregated accounts for the
17 management of state nominating conventions. All revenue obtained and expenditures
18 made for the planning and running of a state convention must be accounted for in
19 these accounts.

20 2. A postconvention statement must be filed with the secretary of state sixty days after
21 the close of the state nominating convention. The reporting period for the
22 postconvention statement begins on the first day of January of the reporting year and
23 ends thirty days after the close of the state nominating convention.

24 3. A year-end statement covering the entire calendar year must be filed with the
25 secretary of state before February first of the following year even if no convention
26 revenue was deposited or expenditures made within the calendar year.

27 4. The statement filed under this section must show:

28 a. The balance of the filer's convention accounts at the start and close of the
29 reporting period.

30 b. The total of all revenue deposited and expenditures made of two hundred fifty
31 dollars or less.

c. The total of all revenue deposited and expenditures made in excess of two hundred fifty dollars.

d. For revenues received and deposited, the:

(1) Name of each person providing the revenue;

(2) City and state of each person providing revenue;

(3) Date of the most recent deposit of revenue from each person providing revenue; and

(4) Purpose or purposes for which revenue was deposited from each person.

e. For each expenditure made, the:

(1) Name of each person to which the expenditure was made;

(2) City and state of each person to which the expenditure was made;

(3) Date of the most recent expenditure made to each person or entity; and

(4) Purpose or purposes for which the aggregated expenditure total was disbursed to each person or entity.

f. The total of all contributions and expenditures which total in excess of two hundred fifty dollars during the reporting period.

g. The aggregated total of contributions and expenditures which are two hundred fifty dollars or less during the reporting period.

h. For each aggregated revenue from an individual which totals five thousand dollars or more during the reporting period, the occupation, employer, and principal place of business of the individual.

5. If a net gain from the convention is transferred to the accounts established for the support of the nomination or election of candidates, the total transferred must be reported as a contribution in the statements required by section 16.1-08.2-03.

6. If a net loss from the convention is covered by a transfer from the accounts established for the support of the nomination or election of candidates, the total transferred must be reported as an expenditure in the statements required by section 16.1-08.2-03.

7. A state political party or nonprofit entity affiliated with or under the control of a state political party, which receives a donation for purchasing, maintaining, or renovating a building, shall file a statement with the secretary of state before February first of each

calendar year. Any income or financial gain generated from a building purchased, maintained, or renovated from donations must be deposited in the building fund and must be disclosed when the political party or nonprofit entity files the statement required under this section. Money in the fund may be used only by the state political party or nonprofit entity affiliated with or under the control of a state political party for purchasing, maintaining, or renovating a building, including the purchase of fixtures for the building. The statement may be submitted for filing beginning on January first and must include the:

- a. Balance of the building fund on January first;
- b. Name and the city and state of each donor;
- c. Amount of each donation;
- d. Date each donation was deposited;
- e. Name and the city and state of each recipient of an expenditure;
- f. Amount of each expenditure;
- g. Date each expenditure was made; and
- h. Balance of the fund on December thirty-first.

16.1-08.2-05. Special requirements for statements required of persons engaged in activities regarding ballot measures.

1. For each reportable contribution and expenditure under section 16.1-08.2-03, the threshold for reporting is one hundred dollars for any person engaged in activities described in subdivision e of subsection 13 of section 16.1-08.2-01.
2. For contributions deposited from any contributor, a person engaged in activities described in subdivision e of subsection 13 of section 16.1-08.2-01 shall include the following information regarding each subcontributor that has stated a contribution is for the express purpose of furthering the passage or defeat of a ballot measure in the statements required under section 16.1-08.2-03:
 - a. A designation as to whether any person contributed in excess of one hundred dollars of the total contribution;
 - b. The name and the city and state of each subcontributor contributing in excess of one hundred dollars of the total contribution;
 - c. The contribution amounts of each disclosed subcontributor; and

d. The occupation, employer, and address for the employer's principal place of business of each disclosed subcontributor.

3. A measure committee which is seeking approval for an initiative or referendum shall file a disclosure statement by the date the secretary of state approves the petition for circulation. Thereafter, the measure committee is required to file disclosure statements as directed by section 16.1-08.2-03.

4. A measure committee that is seeking approval for an initiative or referendum shall file a statement regarding its intent to compensate circulators before paying for petitions to be circulated.

16.1-08.2-06. Special requirements for political committees organized and registered under federal law.

1. A political committee organizing and registering according to federal law which makes an independent expenditure or makes a disbursement in excess of two hundred fifty dollars to a nonfederal candidate seeking public office or to a political party or political committee in this state shall file a copy of that portion of the committee's federal report detailing the independent expenditure or the disbursement made.

2. The political committee shall file a copy of the committee's federal report, and supplementary information as necessary under this section, with the secretary of state at the time of filing the report with the applicable federal agency. The report and supplementary information must include the:

a. Name, city and state, and treasurer of the political committee;

b. Recipient's name and mailing address;

c. Date and amount of the independent expenditure or disbursement; and

d. Ultimate and true source of funds listed by contributor and subcontributor for any amount over two hundred fifty dollars collected or used to make the independent expenditure or disbursement including the:

(1) Name, city and state, and treasurer of the political committee;

(2) Total amount of the contribution; and

(3) Date the last contribution was deposited.

16.1-08.2-07. Campaign contributions by corporations, cooperative corporations, limited liability companies, affiliates, subsidiaries, and associations - Penalty.

1. A corporation, cooperative corporation, limited liability company, affiliate, subsidiary, or association may establish, administer, and solicit contributions to a separate and segregated fund to be used for political purposes by the corporation, cooperative corporation, limited liability company, affiliate, subsidiary, or association. It is unlawful for:

a. The person controlling the fund to make contributions or expenditures using money or anything of value secured by physical force, job discrimination, financial reprisals, or the threat of those actions, or use money from dues, fees, treasury funds, or other money required as a condition of membership in an association, or as a condition of employment, or use money obtained in any commercial transaction. Moneys from fees, dues, treasury funds, or money obtained in a commercial transaction may, however, be used to pay costs of administration of the fund.

b. Any person soliciting an employee, stockholder, patron, board member, or member for a contribution to the fund to fail to inform the employee or member of the political purposes of the fund at the time of the solicitation or of the general political philosophy intended to be advanced through committee activities.

c. Any person soliciting an employee or member for a contribution to the fund to fail to inform the employee or member at the time of the solicitation of the right to refuse to contribute without any reprisal.

d. Any contribution to be accepted without keeping an accurate record of the contributor and amount contributed and of amounts expended for political purposes.

e. Any contribution to be accepted from any person not an employee, a stockholder, a patron, a board member or a member of the corporation, cooperative corporation, limited liability company, affiliate, subsidiary, or association maintaining the political action committee, except a corporation may accept a contribution from an employee, a stockholder, a patron, a board member, or a member of an affiliate or a subsidiary of the corporation.

f. Any expenditure made for political purposes to be reported under this section before control of the expenditure has been released by the political action committee except if there is a contract, a promise, or an agreement, expressed or implied, to make the expenditure.

2. A person may not make a payment of that person's money or of another person's money to any other person for a political purpose in any name other than that of the person supplying the money and a person may not knowingly receive the payment nor enter nor cause the payment to be entered in that person's account or record in any name other than that of the person by which it actually was furnished.

3. If an officer, employee, agent, attorney, or other representative of a corporation, cooperative corporation, limited liability company, affiliate, subsidiary, or association makes any contribution prohibited by this section out of corporate, cooperative corporation, limited liability company, affiliate, subsidiary, or association funds or otherwise violates this section, it is prima facie evidence of a violation by the corporation, cooperative corporation, limited liability company, affiliate, subsidiary, or association.

4. Corporations, cooperative corporations, limited liability companies, affiliates, subsidiaries, and associations may make expenditures and contributions for promoting any general political philosophy or belief deemed in the best interest of the employees, stockholders, patrons, or members of the corporation, cooperative corporation, limited liability company, affiliate, subsidiary, or association other than a "political purpose" as defined by this chapter. A corporation, cooperative corporation, limited liability company, affiliate, subsidiary, or association may not make a contribution for a political purpose.

5. A corporation, cooperative corporation, limited liability company, affiliate, subsidiary, or association may make a donation of property or money to a state political party or nonprofit entity affiliated with or under the control of a state political party for deposit in a separate and segregated building fund.

6. A corporation, cooperative corporation, limited liability company, affiliate, subsidiary, or association may make an expenditure to a measure committee for the purpose of promoting the passage or defeat of an initiated or referred measure or petition or make

an expenditure to any other person making an independent expenditure. A corporation, cooperative corporation, limited liability company, affiliate, subsidiary, or association may make an independent expenditure for a political purpose, including political advertising in support of or opposition to a candidate, political committee, or a political party, or for the purpose of promoting passage or defeat of initiated or referred measures or petitions. The corporation, cooperative corporation, limited liability company, affiliate, subsidiary, or association shall file a statement disclosing any expenditure made under this subsection with the secretary of state within forty-eight hours after making the expenditure. The statement must include:

- a. The full name of the corporation, cooperative corporation, limited liability company, affiliate, subsidiary, or association;
- b. The complete address of the corporation, cooperative corporation, limited liability company, affiliate, subsidiary, or association;
- c. The name of the recipient of the expenditure;
- d. If the expenditure is related to a measure or petition, the title of the measure or petition and whether the expenditure is made in support of or opposition to the measure or petition;
- e. If the expenditure is related to a measure, the election date on which the measure either will appear or did appear on the ballot;
- f. The amount of the expenditure;
- g. The cumulative total amount of expenditures since the beginning of the calendar year which are required to be reported under this subsection;
- h. The telephone number and the printed name and signature of the individual completing the statement, attesting to the statement being true, complete, and correct; and
- i. The date on which the statement was signed.

7. A violation of this section may be prosecuted in the county where the contribution is made or in any county in which it has been paid or distributed.

8. It is a class A misdemeanor for an officer, director, stockholder, manager, governor, member, attorney, agent, or representative of any corporation, cooperative corporation, limited liability company, affiliate, subsidiary, or association to violate this

section or to counsel or consent to any violation. Any person that solicits or knowingly receives any contribution in violation of this section is guilty of a class A misdemeanor.

9. Any officer, director, stockholder, manager, governor, member, attorney, agent, or representative who makes, counsels, or consents to the making of a contribution in violation of this section is liable to the company, corporation, limited liability company, affiliate, subsidiary, or association for the amount so contributed.

16.1-08.2-08. Special requirements for conduits.

A conduit transferring any contribution to a candidate, political party, or political committee shall provide the recipient of the contribution a detailed statement listing the name and address of each individual contributor, the amount of each contribution, and the date each contribution was deposited. The conduit also shall include on the statement the occupation, employer, and principal place of business of each contributor, or the political committee if not already registered according to state or federal law, which contributed five thousand dollars or more in the aggregate during a reporting period applicable to the candidate, political party, or political committee. The conduit shall provide the statement to the candidate, political party, or political committee in a manner to allow the candidate, political party, or political committee to file any statement required to be filed under this chapter.

16.1-08.2-09. General prohibitions.

1. A foreign national may not make or offer to make, directly or indirectly, a contribution or expenditure in connection with any election.

2. A candidate, candidate committee, political committee, political party, or any other person may not solicit, accept, or receive, directly or indirectly, a contribution from a foreign national.

3. A candidate may not use any contribution deposited by the candidate, the candidate's candidate committee, or a multicandidate political committee to:

a. Give a personal benefit to the candidate or another person;

b. Make a loan to another person;

c. Knowingly pay more than the fair market value for goods or services purchased for the campaign; or

d. Pay a criminal fine or civil penalty.

1 4. If the secretary of state has substantial reason to believe any person knowingly
2 violated this section, the secretary shall arrange for an audit as authorized by section
3 16.1-08.2-10.

4 5. A person may not be excused from attending and testifying or producing any books,
5 papers, or other documents before any court upon any investigation, proceeding, or
6 trial for a violation of any of the provisions of this chapter, upon the grounds that the
7 testimony or evidence, documentary or otherwise, required of the person may tend to
8 incriminate or degrade the person. A person may not be prosecuted or subjected to
9 any penalty or forfeiture for or on account of any transaction, matter, or thing
10 concerning which the person may testify or produce evidence, documentary or
11 otherwise. Any testimony given or produced may not be used against the person in
12 any criminal investigation or proceeding.

13 **16.1-08.2-10. Audit by secretary of state.**

14 1. If a substantial irregularity is evident or reasonably alleged, the secretary of state may
15 arrange an audit of any statement filed pursuant to this chapter, to be performed by a
16 certified public accountant of the filer's choice, subject to approval by the secretary of
17 state. If an audit of a statement arranged by the secretary of state under this
18 subsection reveals a violation of this chapter, the candidate, political party, political
19 committee, or other person filing the statement shall pay a fine to the secretary of state
20 equal to two hundred percent of the aggregate of contributions and expenditures
21 found to be in violation or an amount sufficient to pay the cost of the audit, whichever
22 is greater. If an audit of a statement arranged by the secretary of state under this
23 subsection does not reveal a violation of this chapter, the cost of the audit must be
24 paid for by the secretary of state.

25 2. If a substantial irregularity is reasonably alleged, the secretary of state may arrange an
26 audit of any statement filed pursuant to this chapter, performed by a certified public
27 accountant of the filer's choice, subject to approval by the secretary of state, upon
28 written request by any interested party made to the secretary of state within thirty days
29 following receipt of a statement by the secretary of state. The request must be made in
30 writing, recite a substantial irregularity and a lawful reason for requesting an audit, and
31 be accompanied by a bond in an amount established by the secretary of state

1 sufficient to pay the cost of the audit. If an audit of a statement arranged by the
2 secretary of state under this subsection reveals a violation of this chapter, the
3 candidate, political party, or political committee filing the statement shall pay a fine to
4 the secretary of state equal to two hundred percent of the aggregate of contributions
5 and expenditures found to be in violation or an amount sufficient to pay the cost of the
6 audit, whichever is greater, and the bond must be returned to the person submitting it.
7 If an audit of a statement arranged by the secretary of state under this subsection
8 does not reveal a violation of this chapter, the cost of the audit must be satisfied from
9 the bond filed with the secretary of state.

10 3. An audit may not be made or requested of a statement for the sole reason that it was
11 not timely filed with the secretary of state. An audit made or arranged according to this
12 section must audit only those items required to be included in any statement,
13 registration, or report filed with the secretary of state according to this chapter. The
14 secretary of state may collect any payment obligation arising out of this section by civil
15 action or by assignment to a collection agency, with any costs of collection to be
16 added to the amount owed and to be paid by the delinquent filer. Any remaining
17 moneys collected by the secretary of state after an audit is paid for under this section
18 must be deposited in the state's general fund. This section does not apply to
19 statements filed by candidates or candidate committees for candidates for county, city,
20 or school district offices.

21 **16.1-08.2-11. Filing officer to charge and collect filing fees.**

- 22 1. If a statement or report required to be filed according to this chapter is not filed within
23 the prescribed time, the filing officer to whom the report was to be filed is authorized to
24 charge and collect a late fee as follows:
- 25 a. Within six days after the prescribed time, one hundred dollars;
26 b. Within thirteen days after the prescribed time, two hundred fifty dollars; and
27 c. Thereafter, five hundred dollars.
- 28 2. Any amendment filed by the candidate, candidate committee, multicandidate
29 committee, political committee, or political party, or at the request of the filing officer,
30 the filing officer to whom the report was to be filed is authorized to charge and collect a
31 late fee as follows:

1 a. Within six days after the date the amendment was due, one hundred dollars;

2 b. Within eleven days after the date the amendment was due, two hundred fifty
3 dollars; and

4 c. Thereafter, five hundred dollars.

5 3. Any fines paid under this section must be reported on the statement filed by the
6 candidate, candidate committee, multicandidate committee, political committee, or
7 political party.

8 4. The filing officer may collect any payment obligation arising out of this section by civil
9 action or by assignment to a collection agency, with any costs of collection to be
10 added to the amount owed and to be paid by the delinquent filer.

11 **16.1-08.2-12. Secretary of state to provide instruction and adjust thresholds for**
12 **inflation.**

13 1. The secretary of state shall provide instructions and conduct training for the purpose of
14 promoting uniform application of campaign finance and disclosure requirements and
15 the uniform filing of statements, registrations, or reports according to this chapter.

16 2. The secretary of state shall adjust for inflation the reporting thresholds in this chapter
17 by one hundred dollars once every ten years from the last calendar year of adjustment
18 and inform persons submitting reports under this chapter of the adjustments. The
19 secretary of state shall make the adjustments beginning January first of each
20 adjustment year beginning January 1, 2026.

21 **16.1-08.2-13. Penalty.**

22 Except as otherwise provided, any person who willfully violates any provision of this chapter
23 is guilty of a class A misdemeanor.

24 **SECTION 5. AMENDMENT.** Subdivision b of subsection 2 of section 16.1-10-02 of the
25 North Dakota Century Code is amended and reenacted as follows:

26 b. "Property" includes motor vehicles, telephones, typewriters, adding machines,
27 postage or postage meters, funds of money, and buildings. However, nothing in
28 this section may be construed to prohibit any candidate, political party,
29 committee, or organization from using any public building for such political
30 meetings as may be required by law, or to prohibit such candidate, party,
31 committee, or organization from hiring the use of any public building for any

political purpose if such lease or hiring is otherwise permitted by law. The term does not include the executive mansion as provided under chapter 54-21.

SECTION 6. AMENDMENT. Section 16.1-10-04.1 of the North Dakota Century Code is amended and reenacted as follows:

16.1-10-04.1. Certain political advertisements to disclose name of sponsor - Name disclosure requirements.

Every political advertisement by newspaper, pamphlet or folder, display card, sign, poster, or billboard, website, or by any other similar public means, on behalf of or in opposition to any candidate for public office, designed to assist, injure, or defeat the candidate by reflecting upon the candidate's personal character or political action, or by a measure committee as described in section ~~16.1-08.1-01~~16.1-08.2-01, or a corporation making an independent expenditure either for or against a measure, must disclose on the advertisement the name of the person, as defined in section ~~16.1-08.1-01~~16.1-08.2-01, or political party paying for the advertisement. If the name of a political party, association, or partnership is used, the disclaimer must also include the name of the chairman or other responsible individual from the political party, association, or partnership. The name of the person paying for any radio or television broadcast containing any advertising announcement for or against any candidate for public office must be announced at the close of the broadcast. If the name of a political party, association, or partnership is used, the disclaimer must also include the name of the chairman or other responsible individual from the political party, association, or partnership. In every political advertisement in which the name of the person paying for the advertisement is disclosed, the first and last name of any named individual must be disclosed. An advertisement paid for by an individual candidate or group of candidates must disclose that the advertisement was paid for by the individual candidate or group of candidates. The first and last name or names of the candidates paying for the advertisement are not required to be disclosed. This section does not apply to campaign buttons.

SECTION 7. AMENDMENT. Subdivision f of subsection 8 of section 51-28-01 of the North Dakota Century Code is amended and reenacted as follows:

- f. By or on behalf of a political party, candidate, or other group with a political purpose, as defined in section ~~16.1-08.1-01~~16.1-08.2-01, unless the communication is a text message.

1 **SECTION 8. AMENDMENT.** Subsection 11 of section 54-66-01 of the North Dakota Century
2 Code is amended and reenacted as follows:

3 11. "Ultimate and true source" means the person that knowingly contributed over two
4 hundred fifty dollars solely to lobby or influence state government action.

5 **SECTION 9. AMENDMENT.** Section 54-66-02 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **54-66-02. Disclosure of ultimate and true source of funds.**

8 1. A lobbyist who expends an amount greater than two hundred fifty dollars to lobby shall
9 file with the secretary of state a report that includes the known ultimate and true
10 source of funds for the expenditure. The report must be filed with the lobbyist
11 expenditure report required under subsection 2 of section 54-05.1-03.

12 2. A person that expends an amount greater than two hundred fifty dollars, not including
13 the individual's own travel expenses and membership dues, to influence state
14 government action shall file with the secretary of state a report including the known
15 ultimate and true source of funds for the expenditure. A report under this subsection
16 must be filed on or before the August first following the date of the expenditure. The
17 secretary of state shall provide a form for reports under this subsection and make the
18 form electronically accessible to the public. The secretary of state also shall charge
19 and collect fees for late filing of the reports as follows:

20 a. Twenty-five dollars for a report filed within sixty days after the deadline; or

21 b. Fifty dollars for a report filed more than sixty days after the deadline.

22 3. The secretary of state shall compile the reports required under this section and make
23 the reports electronically accessible to the public.

24 4. A resident taxpayer may commence an action in a district court of this state against a
25 person required to comply with this section to compel compliance if all other
26 enforcement measures under this chapter have been exhausted and the taxpayer
27 reasonably believes the person has failed to comply with this section.

28 5. The secretary of state shall ~~determine adjustments~~adjust for inflation ~~of~~ the reporting
29 thresholds in this section by one hundred dollars once every ten years from the last
30 calendar year of adjustment and instruct persons submitting reports under this section
31 of the adjustments. ~~On~~The secretary of state shall make the adjustment by January

1 first of each adjustment year, ~~the secretary shall determine whether the accumulated~~
2 ~~change in the consumer price index for all urban consumers (all items, United States~~
3 ~~city average), as applied to each reporting threshold in this section, would result in an~~
4 ~~adjustment of at least ten dollars of the threshold in effect on that date. If so, the~~
5 ~~secretary of state shall deem the reporting threshold adjusted by ten dollars.~~

6 **SECTION 10. REPEAL.** Chapter 16.1-08.1 of the North Dakota Century Code is repealed.

7 **SECTION 11. APPLICATION.** A person required to file a campaign disclosure statement
8 under sections 16.1-08.1-02.1, 16.1-08.1-02.2, 16.1-08.1-02.3, and 16.1-08.1-02.4 disclosing
9 contributions received and expenditures made from January first through December thirty-first
10 of 2025, shall file the statement pursuant to the statutory requirements under chapter 16.1-08.1
11 as it existed prior to its repeal.

12 **SECTION 12. EFFECTIVE DATE.** Sections 1, 2, 3, 4, 6, 7, 8, 9, and 10 of this Act become
13 effective on January 1, 2026.

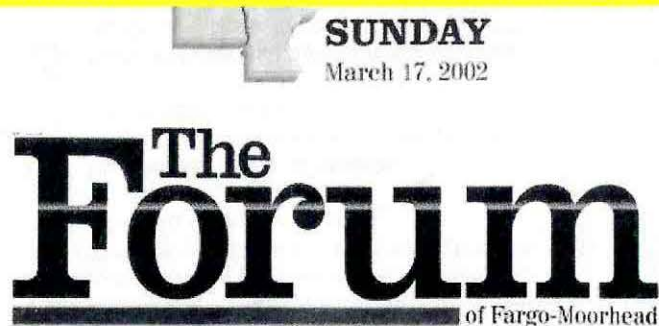
CAMPAIGN FINANCE COMPARISON – 2002 TO 2025

	Candidates Report Contributions Total	Candidate Contribution Itemization Threshold	Candidates Report Debts, Loans Candidates Report	Candidates Non-Monetary Contributions	Candidates Report Expenditure Total	Candidates Expenditure Itemization Threshold	Candidate Reports Carryover Beginning and Ending Fund
North Dakota 2025	YES	\$200	YES	YES	YES	NONE	STATEWIDE ONLY
2002	NO	\$200	NO	NO	NO	NONE	--
South Dakota 2025	YES	\$100	YES	YES	YES	ALL	YES
2002	YES	\$100	YES	YES	YES	\$100	--
Minnesota 2025	YES	\$20	YES	YES	YES	ALL	YES
2002	YES	\$100	YES	YES	YES	\$100	--
Montana 2025	YES	\$25	YES	YES	YES	ALL	YES
2002	YES	\$35	YES	YES	YES	ALL	--
Wyoming 2025	YES	\$25	YES	YES	YES	ALL	YES
2002	YES	\$25	YES	YES	YES	ALL	--

MARCH 17, 2002 - THE FORUM



Sunday Edition



www.in-forum.com



B2 (R)

N.D. unique in slack campaign laws

By Janell Cole
jcole@bismarcktribune.com

BISMARCK, N.D. - If you're wondering how much candidates spend on state political campaigns, you can find out in every

Politics and FEC information. North Dakota requires disclosure of contributions more than \$200, but that does not reflect the total raised, because the amount from smaller donations is never reported unless

ante mischief, say national groups that track campaign spending and influence-buying.

"What you're talking about is the state is wide open to hostile take over," said Larry



SB 2156 - SENATE VERSION

- ✓ **\$250 Reporting Threshold (same HB1377)**
- ✓ **Consistent Reporting Requirements**
Candidate and all committee types follow same timelines and thresholds for reporting
- ✓ **Expenditure Purpose Expanded**
User can choose from a category or self-enter a "memo" for expenditure purpose
- ✓ **Deposit Date for Reporting**
Date contribution is deposited in campaign finance account used for reporting
- ✓ **Checkbook Concept - One-System Tracking**
User can use system for all campaign finance account tracking needs
 - » Enter all contributions and expenditures
 - » Aggregates under threshold amounts
 - » Tracks and notifies when aggregated contribution threshold is met
 - » Report beginning and ending balances - allows for flow through on adjustments
 - » Reports publicly viewable only upon final submission by user
- ✓ **Protects Below Threshold Info**
Provides exempt records protection for all information entered below public disclosure threshold of \$250
- ✓ **Improved Chapter Organization**
Rearranges other sections of current NDCC 16.1 - without changes - to create more logical, understandable order

HB 1377 - SENATE VERSION

- ✓ **\$250 Reporting Threshold**
Raises threshold for reporting of campaign contributions and expenditure from \$200 to \$250 for candidates and committees - adjusts every 10 years for inflation
- ✓ **Thresholds Adjust for Inflation**
Every 10 years, thresholds raise \$100 for inflationary adjustment
- ✓ **Federal PACs - Clarifies for AG Opinion**
Updates statute to more clearly match AG opinion issued for federal PAC filers
 - » Must file under federal portion of statute and committee statute
- ✓ **SAME AS SENATE VERSION SB 2156**
- **Consistent Reporting Requirements**
- **Expenditure Purpose Expanded**
- **Deposit is Date for Reporting**
- **Checkbook Concept - One System Tracking**
- **Protects Below Threshold Info**
- **Improved Chapter Organization**

SB 2156 - HOUSE VERSION

- ✓ **\$250 Reporting Threshold (same HB1377)**
- ✗ **Inconsistent Reporting for Candidates**
 - » Reverts to old reporting requirements but makes them less transparent by hiding fund balances for statewide candidates and candidate committees
 - » Removal of fund balances requires two separate programming paths for candidates - greater cost at what gain
- ✗ **Legislative/Local Candidate/Committees**
 - » Categorized expenditure reporting only - aggregate totals in categories over \$250
 - » No reporting of fund balances
- ✗ **Statewide Candidate/Committees**
 - » Categorized expenditure reporting only - aggregate totals in categories over \$250
 - » Report beginning and ending fund balances but not displayed publicly (less transparent than current law)
- ✓ **Non-Candidate Committees - Same as SENATE SB 2156 - Checkbook Concept**
- **Expenditure Category Additions**
Added 2 new categories - political contributions and volunteer appreciation
- ✓ **SAME AS SENATE VERSION SB 2156**
- **Deposit Date for Reporting**
- **Protects Below Threshold Info**
- **Improved Chapter Organization**

2025 CONFERENCE COMMITTEE

HB 1377

2025 HOUSE STANDING COMMITTEE MINUTES

Finance and Taxation Committee Room JW327E, State Capitol

HB 1377
4/26/2025
Conference Committee

Relating to campaign disclosure statements; to amend and reenact sections 15.1-09-08, 15.1-09-19, and 16.1-01-12, subdivision b of subsection 2 of section 16.1-10-02, section 16.1-10-04.1, subdivision f of subsection 8 of section 51-28-01, subsection 11 of section 54-66-01, and section 54-66-02 of the North Dakota Century Code, relating to campaign disclosure statements, authorized use of state property for political purposes, and inflationary adjustments for campaign finance reporting thresholds; to repeal chapter 16.1-08.1 of the North Dakota Century Code, relating to campaign disclosure statements; to provide a penalty; to provide for application; and to provide an effective date.

9:00 a.m. Chairman Porter called the meeting to order.

Members Present: Chairman Porter, Representatives Dockter, Schauer; Chairman Roers, Senator Barta

Members Absent: Senator Castaneda

Discussion Topics:

- New legislative finance system
- Tracking funds
- Campaign finance law
- Property requirement exemption

9:01 a.m. Chairman Roers, District 27, explained Senate Amendment LC#25.0517.03002., testimony #45211 and #45213.

9:24 a.m. Chairman Porter adjourned the meeting.

Janae Pinks, Committee Clerk

ROERS
1377

4/26/2025

Campaign Finance Reform

HB 1377

1

Goals

- Transparency
 - Allows for more logical “checkbook” style viewing
 - Beginning & Ending Balances tracking over time
- Ease of reporting for users.
 - System (not user) tracks and aggregates contributions and expenditures.
 - No additional (outside of system) tracking needed by user.
 - Allows for more logical “checkbook” style tracking

2

Definitions

- Better defined measure committee to allow an entity to register if they're supporting/opposing an initiative measure or petition.
- Changed expenditure category to expenditure purpose and removed categories.
- Additional language in political purpose to expand ability to use candidate campaign funds.
- Removed unnecessary timeline under political purpose definition

3

Structure / Changes

• This proposal:

1. Does not require filers to file more frequently
 2. Allows user the ability to track all funds in one system throughout life of campaign account
 3. Protects individual entries for contributions/expenditures below thresholds (displayed in aggregate) from open records.
- Changed all "received" language to "deposited" for increased clarity by users.
 - Potential for decreased 48-hour reportability dependent on date of deposit.
 - \$200 thresholds increased to \$250 for all entities except ballot measure/petitions which remain at \$100.

4

Pre-Election, Supplemental, Year End Reporting

- Does not increase reporting frequency – only candidates or parties with endorsed candidates need to file the Pre-Primary and Pre-General.
 - Pre-Primary: January 1 through **April 30** file by May 7
 - Pre-General: May 1 through **September 30** file by October 7
 - Year-End: October 1 through December 31 file by January 31
- Removes expenditure categories.

5

Pre-Election, Supplemental, Year End Reporting



Beginning / Ending Balance



Users to report **all** contributions and expenditures no matter the amount. Only those that meet the threshold of \$250 are itemized for public viewing. System will provide typical categories for use, however user can make their own entry as well



Added a provision keeping contributions and expenditures under threshold exempt from open records requests.

6

Federal PACs and Property

• AG Federal PAC Opinion

- Requires Federal PACs contributing to non-federal candidates in ND elections to report on same schedule as candidates and committees.
- Requires Federal PACs to also file federal report to ND on federal timeline.
- Allows Federal PACs to only report in years in which they are contributing or expending dollars in ND.

• Exempt Property

- Exempts Governor's Residence from property definition to provide flexibility in political activities.

7

Application Date

- Effective date of January 1, 2026.
- Allows for candidates and committees to follow one set of laws for the reporting period
- New system and laws in place for 2026 election cycle.

8



Advantages:

- System aggregates/tracks the transactions for the user, including reporting aggregated/individual thresholds.
 - Any “amendment” can be made by the user on the individual entry and the system will make adjustments to impacted reports and balances. No need to go back to previous reports to adjust – system will make change and mark reports as “amended.” This even applies if you go back multiple years ... it will adjust balances forward to current date.
 - System to have “Save and Continue” feature to allow users to edit or upload transactions as they’re deposited/expended. Entered transactions are only sent to PUBLIC side for viewing once user submits a “report” during reporting cycle – no need for multiple systems to track transactions. User controls the release of transactions to public side during reporting.
-

9

Fines / Penalties

- Increased fines for failure to file or to amend a report:
 - Within 6 days increase from \$25 to \$100
 - Within 11 days increase from \$50 to \$250
 - Thereafter increase from \$100 to \$500

10



11

HB 1377 - SENATE VERSION

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Updates statute to more clearly match AG opinion issued for federal PAC filers
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INCORPORATED FROM SENATE VERSION SB 2156

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2002	YES	\$25	YES	YES	YES	ALL	--

MARCH 17, 2002 - THE FORUM



COMIC JOURNEY
 Fargo man hits national comic-book scene **C1**

SUNDAY
 March 17, 2002

The Forum

of Fargo-Moorhead

www.in-forum.com



EASTER FASHION
 Go traditional or hip this spring **B1**

Sunday Edition

N.D. unique in slack campaign laws

By Janelle Cole
foruncap@btinternet.net

BISMARCK, N.D. – If you're wondering how much candidates spend on state political campaigns, you can find out in every

Politics and FEC information. North Dakota requires disclosure of contributions more than \$200, but that does not reflect the total raised, because the amount from smaller donations is never reported unless

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HB 1377
4/28/2025
Conference Committee

Relating to campaign disclosure statements; to amend and reenact sections 15.1-09-08, 15.1-09-19, and 16.1-01-12, subdivision b of subsection 2 of section 16.1-10-02, section 16.1-10-04.1, subdivision f of subsection 8 of section 51-28-01, subsection 11 of section 54-66-01, and section 54-66-02 of the North Dakota Century Code, relating to campaign disclosure statements, authorized use of state property for political purposes, and inflationary adjustments for campaign finance reporting thresholds; to repeal chapter 16.1-08.1 of the North Dakota Century Code, relating to campaign disclosure statements; to provide a penalty; to provide for application; and to provide an effective date.

11:00 a.m. Chairman Porter called the meeting to order.

Members Present: Chairman Porter, Representatives Dockter, Schauer; Chairman Roers, Senators Barta, Castaneda

Discussion Topics:

- Transparency
- Contribution minimum thresholds
- Campaign strategies

11:01 a.m. Michael Howe, ND Secretary of State, stood for questions, testimony #45252.

11:25 a.m. Chairman Porter adjourned the meeting.

Janae Pinks, Committee Clerk

Howe
1377

HB 1377 – FIRST ENGROSSMENT WITH SENATE AMENDMENTS Version 25.0517.04000

HB 1377 - SECTION BY SECTION SUMMARY

SECTIONS 1, 2, AND 3

Changes in these sections amend chapters in other areas of NDCC that reference 16.1-08.1 to point to the new code (16.1-08.2) as proposed if enacted.

SECTION 4

Entire section - changes in **thresholds throughout** – updated all references at \$200 to \$250

Changes in **DEFINITIONS** - All existing code with the following changes:

- Changes to **Expenditure Purpose (pg 6, line 30)**, can report under category or hard-enter the purpose. No need for defined categories in code as they can be adjusted as needed by the secretary of state.
- Changes to **Political Committee (pg 8, lines 8-14)**, subsection e. – added language to include any committee that is supporting or opposing an initiated or referred petition.
- Changes to **Political Purpose (pg 8, lines 19-26)** – added language to expand the ability to use campaign funds for a political purpose and removed an unnecessary timeline in the definition.

Changes in **GENERAL PROVISIONS** - All existing code with the following changes:

- **#7 (pg 10, lines 22-24)** – creates an exemption under open records law for any contribution or expenditure that is below \$250. Meaning that the public cannot access any information you provide to the secretary of state that is not publicly reportable.
- **#9 (pg 10, lines 30-31, and pg 11, lines 1 – 3)** – related to March 5, 2025, AG's opinion. This simply clarifies that political committees that organize and register under federal law have to report under two sections of our code – federal reporting section (16.1-08.2-06) under federal timelines and the committee reporting state section (16.1-08.2-03) under state timelines followed by all other candidates and committees.

Changes in **CANDIDATE REPORTING/COMMITTEE REPORTING** – updates reporting
Combines and updates two section of current code for reporting of candidates/candidate committees and PAC and other committee reporting

- **Timelines adjusted for election time frames and annual reporting** –
 - o Before primary or general (pg 11, line 21, and pg 12, lines 1-3)
 - Pre-Primary - Jan 1 – April 30
 - Pre-General – May 1 – Sept. 30
 - Year-End – Oct. 1 – Dec. 31
 - Special – Jan. 1 thru 40th day prior to special

- **48-hour reporting still required**
- **Reporting Contributions and Expenditures over \$250 (pg 12, sub 4 – lines 13-30)**
 - o Candidates and all committees report all contributions and expenditures
 - Contributions and expenditures over \$250 reported itemized; below \$250 is aggregated and protected under open records; system aggregates to thresholds
 - Beginning and ending balances for campaign fund – allows for a rolling balance
- **Political Subs – Can report aggregate under \$250 (pg.14, sub 7 – lines 7-10)**
 - o Counties, cities, and school districts can report aggregated totals under \$250 and do not need to report all as they file on paper
- **AG Opinion Additions – (pg 14, lines 15-26)**
 - o Sub 9 – exempts 501c4s from reporting as they are federally exempt
 - o Sub 10 – federal committees only report what is North Dakota related
 - o Sub 11 – federal committees only need report in years they receive contributions or make expenditures in North Dakota – EVEN if they have a fund balanced.

SPECIAL REQUIREMENTS FOR STATE POLITICAL PARTIES

- Moved and combined NDCC 16.1-08.1-02.1 and 16.1-08.1-02.2
- No changes to language

SPECIAL REQUIREMENTS FOR BALLOT MEASURES

- Moved NDCC 16.1-08.1-03.1
- **Threshold remains at \$100**
- No changes to language

SPECIAL REQUIREMENTS FOR POLITICAL COMMITTEES REGISTERED UNDER FEDERAL LAW

- Moved NDCC 16.1-08.1-03.7
- No changes to language

SPECIAL REQUIREMENTS FOR CORPORATIONS, LLCs

- Moved and combined NDCC 16.1-08.1-03.3 and 16.1-08.03.5
- No changes to language

SPECIAL REQUIREMENTS FOR CONDUITS

- Moved NDCC 16.1-08.1-03.14
- No change to language

PROHIBITIONS

- Moved and combined NDCC 16.1-08-03.15, 16.1-08.04.1, 16.1-08.1-03.4
- **Foreign Influence** - Added “political committee” to sub 2 (pg 22, line 7) – adds measures and petitions committees to prohibition on accepting foreign influence funding

AUDIT BY SECRETARY OF STATE

- NDCC 16.1-08.1-05
- No change to language

FILING OFFICER TO CHANGE AND COLLECT FILING FEES

- NDCC 16.1-08.1-06.1
- As fees suggested in original HB1377

SECRETARY OF STATE TO PROVIDE INSTRUCTION

- NDCC 16.1-08.1-06.2
- As suggested in original HB1377

PENALTY

- NDCC 16.1-08.1-07
- No change to language

SECTION 5

- **Governor's Residence – exempt property** - Changes in this section provide an exemption for the “executive mansion” – AKA the governor's residence.

SECTIONS 6 and 7

- Changes in these sections amend chapters in other areas of NDCC that reference 16.1-08.1 to point to the new code (16.1-08.2) as proposed if enacted.

SECTIONS 8 and 9

- Changes in these sections update reference in “ultimate and true” source of funds sections from \$200 to \$250
- **Section 9 (pg 27, sub 5 – lines 13-21)** – updates inflationary language that was missed in original HB 1377 in the ultimate and true source of funds section of code.

SECTIONS 10, 11, 12

- **Section 10** – Repeals chapter 16.1-08.1
- **Section 11** – Creates application date – meaning 2025 info filed in old system, 2026 info filed in new system –
- **Section 12** - effective date of Jan. 1, 2026

2025 HOUSE STANDING COMMITTEE MINUTES

Finance and Taxation Committee Room JW327E, State Capitol

HB 1377
4/29/2025
Conference Committee

Relating to campaign disclosure statements; to amend and reenact sections 15.1-09-08, 15.1-09-19, and 16.1-01-12, subdivision b of subsection 2 of section 16.1-10-02, section 16.1-10-04.1, subdivision f of subsection 8 of section 51-28-01, subsection 11 of section 54-66-01, and section 54-66-02 of the North Dakota Century Code, relating to campaign disclosure statements, authorized use of state property for political purposes, and inflationary adjustments for campaign finance reporting thresholds; to repeal chapter 16.1-08.1 of the North Dakota Century Code, relating to campaign disclosure statements; to provide a penalty; to provide for application; and to provide an effective date.

11:00 a.m. Chairman Porter called the meeting to order.

Members Present: Chairman Porter, Representatives Dockter, Schauer; Chairman Roers, Senators Barta, Castaneda

Discussion Topics:

- Drop-down categories
- Political donations

11:01 a.m. Representative Schauer, District 13, discussed differences between the House and the Senate versions of the bill, testimony #45298.

11:29 a.m. Chairman Porter adjourned the meeting.

Janae Pinks, Committee Clerk

1377 Differences

House

1. Pg 7/lines1-10
2. Pg 12/line 5 Dustin
3. Pg 12/line 15 Dustin
4. Pg 12/line 17 Dustin
5. Pg 12/line 23
6. Pg 12/lines 29-30
7. Pg 13/lines 1-2
8. Pg 13/lines 3-4
9. Pg 13/lines 5-7 Dustin
10. Pg13/lines 8-12
11. Pg 13/line 24 Dustin
12. Pg 13/line 27 Dustin
- 12.a LC Mistake Dustin
13. Pg 14/line 1 Dustin
14. Pg 14/lines 3-16
15. Pg 14/lines 8-22
16. Pg 14/See Senate
17. Pg 14/See Senate
18. LC/Title/Pg 14/lines 28-29
19. Pg 15 Dustin
20. Pg 26/lines 14-29
21. Pg 27/lines 1-3

Senate

- Pg. 6/lines 30-31
- Pg. 11/line 26
- Pg. 12/line 5
- Pg. 12/line 7
- Pg. 12/line 13
- Pg 12/lines 18-22
- Pg 12/lines 23-24
- Pg 12/lines 25-26
- Pg 12/lines 27-30
- Not in Senate
- Pg 13/line 12
- Pg 13/line 12
-
- Pg 14/lines 20-21
- Pg 13/lines 22-31
- Pg 14/lines 1-13
- Pg 14/lines 18-22
- Pg 14/lines 23-26
- Pg 14/line 27
- Pg 15
- Pg 24/lines 7-20
- Pg 24/line 23 Not in Sen.

2025 HOUSE STANDING COMMITTEE MINUTES

Finance and Taxation Committee Room JW327E, State Capitol

HB 1377
4/29/2025
Conference Committee

Relating to campaign disclosure statements; to amend and reenact sections 15.1-09-08, 15.1-09-19, and 16.1-01-12, subdivision b of subsection 2 of section 16.1-10-02, section 16.1-10-04.1, subdivision f of subsection 8 of section 51-28-01, subsection 11 of section 54-66-01, and section 54-66-02 of the North Dakota Century Code, relating to campaign disclosure statements, authorized use of state property for political purposes, and inflationary adjustments for campaign finance reporting thresholds; to repeal chapter 16.1-08.1 of the North Dakota Century Code, relating to campaign disclosure statements; to provide a penalty; to provide for application; and to provide an effective date.

2:00 p.m. Chairman Porter called the meeting to order.

Members Present: Chairman Porter, Representatives Dockter, Schauer; Chairman Roers, Senators Barta, Castaneda

Discussion Topics:

- House expenditures
- Associated fines
- Miscellaneous category
- Neighboring States regulations
- Ending fund balance
- Volunteer appreciation

2:02 p.m. Representative Schauer, District 13, presented five points of concern with the bill, testimony #45309.

2:04 p.m. Representative Steiner, District 37, stood for questions and continued with testimony #45309.

2:20 p.m. Senator Castaneda moved that the language of bullet point number five of testimony #45309, be accepted.

2:20 p.m. Senator Barta seconded the motion.

2:20 p.m. Motion passed 5-1-0

2:22 p.m. Micheal Howe, ND Secretary of State, stood for questions.

2:31 p.m. Chairman Porter adjourned the meeting.

Janae Pinks, Committee Clerk

HB 1377 042925 1424 PM Roll Call Vote

Amendment

HB 1377

Date Submitted: April 29, 2025, 2:24 p.m.

Action: Passed

Amendment LC #: Pending LC #

Description of Amendment: Accept the senate language of number 5 of testimony #45309 in the final amendment

Motioned By: Castaneda, Jose

Seconded By: Barta, Jeff

Emergency Clause: None

Vote Results: 5 - 1 - 0

Rep. Porter, Todd	Yea
Rep. Dockter, Jason	Yea
Rep. Schauer, Austen	Nay
Sen. Roers, Kristin	Yea
Sen. Barta, Jeff	Yea
Sen. Castaneda, Jose	Yea

Schaver
1377

4/29/25

Conference committee House vs Senate issues in 1377

Issues

#1 Secretary of State determines categories (drop downs)

House has 2 new categories a. political donations b. volunteer appreciation

#2 Senate Every contribution made public?

House Aggregates contributions are less than \$250, > \$250 is public

#3 Senate expenditures are specific reports on spending pg 12-14 #15 too

House expenditures are aggregated categories

#4 Does word "candidate" include both statewide and legislative candidates

Senate and SOS treat part time citizen legislators as statewide politicians

House provides 2 paths one for statewide and one for legislators #9

#5 Senate requires balance of account made public

House ending fund balance is not made public as is current law #10

2025 HOUSE STANDING COMMITTEE MINUTES

Finance and Taxation Committee Room JW327E, State Capitol

HB 1377
4/30/2025
Conference Committee

Relating to campaign disclosure statements; to amend and reenact sections 15.1-09-08, 15.1-09-19, and 16.1-01-12, subdivision b of subsection 2 of section 16.1-10-02, section 16.1-10-04.1, subdivision f of subsection 8 of section 51-28-01, subsection 11 of section 54-66-01, and section 54-66-02 of the North Dakota Century Code, relating to campaign disclosure statements, authorized use of state property for political purposes, and inflationary adjustments for campaign finance reporting thresholds; to repeal chapter 16.1-08.1 of the North Dakota Century Code, relating to campaign disclosure statements; to provide a penalty; to provide for application; and to provide an effective date.

10:32 a.m. Chairman Porter called the meeting to order.

Members Present: Chairman Porter, Representatives Dockter, Hagert; Chairman Roers, Senators Barta, Castaneda

Discussion Topics:

- Campaign finance reform
- Disclosure threshold

10:32 a.m. Chairman Roers, District 27, reviewed previous testimony from April 26, 2025, testimony #45211 and #45213.

10:41 a.m. Michael Howe, ND Secretary of State, reviewed previous testimony from April 28, 2025, testimony #45252.

10:52 a.m. Chairman Porter, District 34, reviewed previous testimony from April 29, 2025, testimony #45309.

10:57 a.m. Chairman Porter adjourned the meeting.

Janae Pinks, Committee Clerk

2025 HOUSE STANDING COMMITTEE MINUTES

Finance and Taxation Committee Room JW327E, State Capitol

HB 1377
4/30/2025
Conference Committee

Relating to campaign disclosure statements; to amend and reenact sections 15.1-09-08, 15.1-09-19, and 16.1-01-12, subdivision b of subsection 2 of section 16.1-10-02, section 16.1-10-04.1, subdivision f of subsection 8 of section 51-28-01, subsection 11 of section 54-66-01, and section 54-66-02 of the North Dakota Century Code, relating to campaign disclosure statements, authorized use of state property for political purposes, and inflationary adjustments for campaign finance reporting thresholds; to repeal chapter 16.1-08.1 of the North Dakota Century Code, relating to campaign disclosure statements; to provide a penalty; to provide for application; and to provide an effective date.

2:00 p.m. Chairman Porter called the meeting to order.

Members Present: Chairman Porter, Representatives Dockter, Schauer; Chairman Roers, Senators Barta, Castaneda

Discussion Topics:

- Transparency
- Drop down categories
- Aggregation vs Itemization
- Contribution levels
- "Candidate" definition
- Fine disclosure

2:01 p.m. Chairman Porter discussed issues with the bill between the House and Senate in previous testimony #45309.

2:01 p.m. Chairman Roers observed a potential conflict regarding threshold levels and will need to be resolved in the final amendment.

2:18 p.m. Micheal Howe, ND Secretary of State, stood to explain the definition of statewide and legislative candidates.

2:24 p.m. Chairman Porter adjourned the meeting.

Janae Pinks, Committee Clerk

2025 HOUSE STANDING COMMITTEE MINUTES

Finance and Taxation Committee Room JW327E, State Capitol

HB 1377
5/1/2025
Conference Committee

Relating to campaign disclosure statements; to provide a penalty; to provide for application; and to provide an effective date.

9:41 a.m. Chairman Porter called the meeting to order.

Members Present: Chairman Porter, Representatives Dockter, Hagert; Chairman Roers, Senators Barta, Castaneda

Discussion Topics:

- Itemization vs aggregation
- Fine disclosure

9:42 a.m. Senator Roers, North Dakota Senator for District 27, provided testimony #45349, #45350.

9:45 a.m. Senator Roers moved to Amend and replace the aggregation language within the bill with the itemization language provided in testimony #45349.

9:45 a.m. Senator Barta seconded the motion.

9:46 a.m. Motion passed 6-0-0

9:55 a.m. Michael Howe, North Dakota Secretary of State, answered committee questions.

9:59 a.m. Chairman Porter adjourned the meeting.

Wyatt Armstrong for Janae Pinks, Committee Clerk

HB 1377 050125 0946 AM Roll Call Vote

Amendment

HB 1377

Date Submitted: May 1, 2025, 9:46 a.m.

Action: Passed

Amendment LC #: Pending LC #

Motioned By: Roers, Kristin

Seconded By: Barta, Jeff

Emergency Clause: None

Vote Results: 6 - 0 - 0

Description: Sen Roers Amendment

Rep. Porter, Todd	Yea
Rep. Dockter, Jason	Yea
Rep. Hagert, Jared	Yea
Sen. Roers, Kristin	Yea
Sen. Barta, Jeff	Yea
Sen. Castaneda, Jose	Yea

1377
FORES

1377 Points of Discussion:

- Itemization vs Aggregation
- Categories defined in Code vs Free Text option
- Contribution & Expenditure disclosure limit: \$200 vs \$250
- Candidate Definition - standardization of statewide/legislative vs 2 paths
- Beginning & Ending Balance reportable

Fines:

After Deadline	House	Senate	Compromise
• 1 week	\$25	\$100	
• 2 weeks	\$50	\$250	
• More than 2 weeks	\$500	\$500	

Fine Disclosure - 2156 had language specific to fine disclosure, 1377 does not - do we need language or can we allow the SoS to determine how they will make that publicly available?

Replacing this:

Section 16.1-08.2-03 applies to a candidate or candidate committee formed on behalf of the candidate, a multicandidate political committee, a political committee, or a political party. The new subsection should read as follows:

Contributions and expenditures of two hundred fifty dollars or less in the aggregate filed under this section are exempt records under chapter 44-04 and reported as part of aggregate totals only.

Section 16.1-08.2-04 establishes special requirements for state political parties. The new subsection should read as follows:

Revenues received and expenditures made of two hundred fifty dollars or less in the aggregate filed under this section are exempt records under chapter 44-04 and reported as part of aggregate totals only.

Section 16.1-08.2-05 establishes special requirements for statements required of persons engaged in activities regarding ballot measures. The new subsection should read as follows:

Contributions and expenditures of one hundred dollars or less in the aggregate filed in a disclosure statement as directed under section 16.1-08.2-03 are exempt records under chapter 44-04 and reported as part of aggregate totals only.

1 5 1 1
10215

Legislative Assembly

- 1 the information does not advocate for or against or otherwise reflect a position on the
2 adoption or rejection of the ballot question.
- 3 b. "Property" ~~includes:~~
- 4 (1) Includes motor vehicles, telephones, ~~typewriters~~ computers, adding
5 machines, postage or postage meters, funds of money, and buildings. However,
6 nothing in this section may be construed to prohibit any candidate, political party,
7 committee, or organization from using any public building for such political meetings
8 as may be required by law, or to prohibit such candidate, party, committee, or
9 organization from hiring the use of any public building for any political purpose if such
10 lease or hiring is otherwise permitted by law.
- 11 (2) Does not include a public building that is temporarily leased at fair market
12 value to a public or private entity for a political purpose.
- 13 (3) Does not include the private side of the governor's residence.
- 14 c. "Services" includes the use of employees during regular working hours for which
15 such employees have not taken annual or sick leave or other compensatory leave. |
16

2025 HOUSE STANDING COMMITTEE MINUTES

Finance and Taxation Committee Room JW327E, State Capitol

HB 1377
5/1/2025
Conference Committee

Relating to campaign disclosure statements; to provide a penalty; to provide for application; and to provide an effective date.

1:29 p.m. Chairman Porter called the meeting to order.

Members Present: Chairman Porter, Representatives Dockter, Hagert; Chairman Roers, Senators Barta, Castaneda

Discussion Topics:

- Leasing of the public side of the Governor's Residence
- Campaign disclosure fines

1:30 p.m. Senator Castaneda proposed an Amendment to increase fines relating to campaign disclosure statements, testimony #45349 (submitted during the May 1, 2025, 9:30 a.m. Meeting)

1:32 p.m. Senator Roers proposed an Amendment, testimony #45349 (submitted during the May 1, 2025, 9:30 a.m. meeting)

1:34 p.m. Senator Roers proposed an Amendment, testimony #45350 (submitted during the May 1, 2025, 9:30 a.m. meeting)

1:39 p.m. Senator Roers moved to adopt Amendments proposed in testimony #45349 and #45350.

1:39 p.m. Senator Barta seconded the motion.

1:40 p.m. Motion passed 6-0-0

1:40 p.m. Senator Roers moved to replace Senate Amendments LC:25.0517.03002 with conference committee Amendments LC:25.0517.03004.

1:40 p.m. Senator Barta seconded the motion.

1:40 p.m. Roll Call Vote-Motion Passed 6-0-0

1:40 p.m. Senator Roers will carry the bill for the Senate.

(After the meeting it was determined that Chairman Porter will carry the bill for the House)

1:41 p.m. Chairman Porter adjourned the meeting.

Wyatt Armstrong for Janae Pinks, Committee Clerk

May 1, 2025

Sixty-ninth
Legislative Assembly
of North Dakota

**PROPOSED AMENDMENTS TO
FIRST ENGROSSMENT**

5/1/25 VC
1 of 35

ENGROSSED HOUSE BILL NO. 1377

Introduced by

Representatives D. Ruby, Henderson, Kasper, Kempenich, Koppelman, Wolff

Senators Boehm, Hogue, Myrdal, Wobbema

In place of amendment (25.0517.03002) adopted by the Senate, Engrossed House Bill No. 1377 is amended by amendment (25.0517.03005) as follows:

A BILL for an Act to create and enact chapter 16.1-08.2 of the North Dakota Century Code, relating to campaign disclosure statements; to amend and reenact ~~subsection 17 of section 16.1-08.1-01, subsection 4 of section 16.1-08.1-02.1, sections 16.1-08.1-02.3 and 16.1-08.1-02.4, subsection 3 of section 16.1-08.1-03.2, sections 16.1-08.1-03.7 and 16.1-08.1-06.2~~ 15.1-09-08, 15.1-09-19, and 16.1-01-12, subdivision b of subsection 2 of section 16.1-10-02, section 16.1-10-04.1, subdivision f of subsection 8 of section 51-28-01, subsection 11 of section 54-66-01, and section 54-66-02 of the North Dakota Century Code, relating to campaign disclosure statements, authorized use of state property for political purposes, and inflationary adjustments for campaign finance reporting thresholds; to repeal chapter 16.1-08.1 of the North Dakota Century Code, relating to campaign disclosure statements; to provide a penalty; to provide for application; and to provide an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

~~**SECTION 1. AMENDMENT.** Subsection 17 of section 16.1-08.1-01 of the North Dakota Century Code is amended and reenacted as follows:~~

~~17. "Ultimate and true source" means the person that knowingly contributed over two hundred fifty dollars solely to influence a statewide election or an election for the legislative assembly.~~

~~**SECTION 2. AMENDMENT.** Subsection 4 of section 16.1-08.1-02.1 of the North Dakota Century Code is amended and reenacted as follows:~~

~~4. The statement filed according to this section must show the following:~~

- ~~a. The balance of the filer's convention accounts at the start and close of the reporting period;~~
 - ~~b. The total of all revenue received and expenditures made of two hundred fifty dollars, or less;~~
 - ~~c. The total of all revenue received and expenditures made in excess of two hundred fifty dollars;~~
 - ~~d. For each aggregated revenue received from a person in excess of two hundred fifty dollars:
 - ~~(1) The name of each person;~~
 - ~~(2) The mailing address of each person;~~
 - ~~(3) The date of the most recent receipt of revenue from each person; and~~
 - ~~(4) The purpose or purposes for which the aggregated revenue total was received from each person;~~~~
 - ~~e. For each aggregated expenditure made to a person in excess of two hundred fifty dollars:
 - ~~(1) The name of each person or entity;~~
 - ~~(2) The mailing address of each person or entity;~~
 - ~~(3) The date of the most recent expense made to each person or entity; and~~
 - ~~(4) The purpose or purposes for which the aggregated expenditure total was disbursed to each person or entity; and~~~~
 - ~~f. For each aggregated revenue from an individual which totals five thousand dollars or more during the reporting period, the occupation, employer, and principal place of business of the individual must be disclosed.~~
- ~~**SECTION 3. AMENDMENT.** Section 16.1-08.1-02.3 of the North Dakota Century Code is amended and reenacted as follows:~~
- ~~**16.1-08.1-02.3. Pre-election, supplemental, and year-end campaign disclosure statement requirements for candidates, candidate committees, multicandidate committees, and nonstatewide political parties.**~~
- ~~1. Prior to the thirty first day before a primary, general, or special election, a candidate or candidate committee formed on behalf of the candidate, a multicandidate political committee, or a political party other than a statewide political party soliciting or~~

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

8 ~~a. For each aggregated contribution from a contributor which totals in excess of two~~
9 ~~hundred fifty 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 of~~
14 ~~two hundred fifty dollars during the reporting period;~~

15 ~~c. The total of all contributions received from contributors that contributed two~~
16 ~~hundred fifty 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.~~

21 ~~2. Beginning on the thirty-ninth day before the election through the day before the~~
22 ~~election, a person that files a statement under subsection 1 must file a supplemental~~
23 ~~statement within forty-eight hours of the start of the day following the receipt of a~~
24 ~~contribution or aggregate contribution from a contributor which is in excess of five~~
25 ~~hundred dollars. The statement must include:~~

26 ~~a. The name and mailing address of the contributor;~~

27 ~~b. The total amount of the contribution received during the reporting period; and~~

28 ~~c. The date the last contributed amount was received.~~

29 ~~3. Prior to February first, a candidate or candidate committee, a multicandidate political~~
30 ~~committee, or a nonstatewide political party soliciting or accepting contributions shall~~
31 ~~file a campaign disclosure statement that includes all contributions received and~~

expenditures, by expenditure category, made from January first through December thirty-first of the previous year. The statement may be submitted for filing beginning on January first. The statement must include:

a. ~~For a statewide candidate, a candidate committee formed on behalf of a statewide candidate, and a statewide multicandidate committee, the balance of the campaign fund on January first and on December thirty-first;~~

b. ~~For each aggregated contribution from a contributor which totals in excess of two hundred fifty dollars received during the reporting period:~~

~~(1) The name and mailing address of the contributor;~~

~~(2) The total amount of the contribution; and~~

~~(3) The date the last contributed amount was received;~~

c. ~~The total of all aggregated contributions from contributors which total in excess of two hundred fifty dollars during the reporting period;~~

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

e. ~~The total of all other expenditures made during the previous year, separated into expenditure categories.~~

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

5. ~~A candidate for city office in a city with a population under five thousand and a candidate committee for the candidate are exempt from this section. A candidate for school district office in a school district with a fall enrollment of fewer than one thousand students and a candidate committee for the candidate are exempt from this section.~~

6. ~~A candidate for county office and a candidate committee for a candidate for county office shall file statements under this chapter with the county auditor. A candidate for~~

city office who is required to file a statement under this chapter and a candidate committee for such a candidate shall file statements with the city auditor. A candidate for school district office who is required to file a statement under this chapter and a candidate committee for such a candidate shall file statements with the school district business manager. Any other person required to file a statement under this section shall file the statement with the secretary of state.

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

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

~~**SECTION 4. AMENDMENT.** Section 16.1-08.1-02.4 of the North Dakota Century Code is amended and reenacted as follows:~~

~~**16.1-08.1-02.4. Pre-election, supplemental, and year-end campaign disclosure statement requirements for statewide political parties and certain political committees.**~~

~~1. Prior to the thirty first day before a primary, general, or special election, a statewide political party or a political committee not required to file statements under section 16.1-08.1-02.3 which is soliciting or accepting contributions shall file a campaign disclosure statement that includes all contributions received and expenditures made from January first through the fortieth day before the election. A political party that has not endorsed or nominated a candidate in an election is not required to file a statement under this subsection. A statement required to be filed under this subsection may be submitted for filing beginning on the thirty ninth day before the election. The statement must include:~~

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

~~(1) The name and mailing address of the contributor;~~

~~(2) The total amount of the contribution; and~~

~~(3) The date the last contributed amount was received;~~

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

- ~~1 c. The total of all contributions received from contributors that contributed two~~
- ~~2 hundred fifty dollars or less each during the reporting period;~~
- ~~3 d. For each recipient of an expenditure from campaign funds in excess of two~~
- ~~4 hundred fifty dollars in the aggregate:~~
- ~~5 (1) The name and mailing address of the recipient;~~
- ~~6 (2) The total amount of the expenditure made to the recipient; and~~
- ~~7 (3) The date the last expended amount was made to the recipient;~~
- ~~8 e. The aggregate total of all expenditures from campaign funds in excess of two~~
- ~~9 hundred fifty dollars;~~
- ~~10 f. The aggregate total of all expenditures from campaign funds of two hundred fifty~~
- ~~11 dollars or less; and~~
- ~~12 g. The balance of the campaign fund on the fortieth day before the election and~~
- ~~13 balance of the campaign fund on January first.~~
- ~~14 2. Beginning on the thirty ninth day before the election through the day before the~~
- ~~15 election, a person that files a statement under subsection 1 must file a supplemental~~
- ~~16 statement within forty eight hours of the start of the day following the receipt of a~~
- ~~17 contribution or aggregate contribution from a contributor which is in excess of five~~
- ~~18 hundred dollars. The statement must include:~~
- ~~19 a. The name and mailing address of the contributor;~~
- ~~20 b. The total amount of the contribution received during the reporting period; and~~
- ~~21 c. The date the last contributed amount was received.~~
- ~~22 3. Prior to February first, a statewide political party or a political committee that is not~~
- ~~23 required to file a statement under section 16.1-08.1-2.3 shall file a campaign~~
- ~~24 disclosure statement that includes all contributions received and expenditures made~~
- ~~25 from January first through December thirty first of the previous year. The statement~~
- ~~26 may be submitted for filing beginning on January first. The statement must include:~~
- ~~27 a. For each aggregated contribution from a contributor which totals in excess of two~~
- ~~28 hundred fifty dollars received during the reporting period:~~
- ~~29 (1) The name and mailing address of the contributor;~~
- ~~30 (2) The total amount of the contribution; and~~
- ~~31 (3) The date the last contributed amount was received;~~

- ~~b. The total of all aggregated contributions from contributors which total in excess of two hundred fifty dollars during the reporting period;~~
- ~~c. The total of all contributions received from contributors that contributed two hundred fifty dollars or less each during the reporting period;~~
- ~~d. For each recipient of an expenditure from campaign funds in excess of two hundred fifty dollars in the aggregate:~~
- ~~(1) The name and mailing address of the recipient;~~
- ~~(2) The total amount of the expenditure made to the recipient; and~~
- ~~(3) The date the last expended amount was made to the recipient;~~
- ~~e. The aggregate total of all expenditures from campaign funds in excess of two hundred fifty dollars;~~
- ~~f. The aggregate total of all expenditures from campaign funds of two hundred fifty dollars or less; and~~
- ~~g. The balance of the campaign fund on January first and December thirty first.~~
- ~~4. A person required to file a statement under this section shall disclose each aggregated contribution from a contributor which totals five thousand dollars or more during the reporting period. For these contributions from individuals, the statement must include the contributor's occupation, employer, and the employer's principal place of business.~~
- ~~5. Statements under this section must be filed with the secretary of state.~~
- ~~6. The secretary of state shall assess and collect fees for any reports filed after the filing deadline.~~
- ~~**SECTION 5. AMENDMENT.** Subsection 3 of section 16.1-08.1-03.2 of the North Dakota Century Code is amended and reenacted as follows:~~
- ~~3. A political committee that organizes and registers according to federal law and makes an independent expenditure or makes a disbursement in excess of two hundred fifty dollars to a nonfederal candidate seeking public office, a political party, or political committee in this state is not required to register as a political committee according to this section if the political committee reports according to section 16.1-08.1-03.7.~~
- ~~**SECTION 6. AMENDMENT.** Section 16.1-08.1-03.7 of the North Dakota Century Code is amended and reenacted as follows:~~

~~16.1-08.1-03.7. Political committees that organize and register according to federal law that make independent expenditures or disbursements to nonfederal candidates, political parties, and political committees.~~

~~A political committee that organizes and registers according to federal law and makes an independent expenditure or makes a disbursement in excess of two hundred fifty dollars to a nonfederal candidate seeking public office or to a political party or political committee in this state shall file a copy of that portion of the committee's federal report detailing the independent expenditure or the disbursement made. The political committee shall file a copy of the committee's federal report, and supplementary information as necessary under this section, with the secretary of state at the time of filing the report with the applicable federal agency. The report and supplementary information must include:~~

- ~~1. The name, mailing address, and treasurer of the political committee;~~
- ~~2. The recipient's name and mailing address;~~
- ~~3. The date and amount of the independent expenditure or disbursement; and~~
- ~~4. The ultimate and true source of funds listed by contributor and subcontributor of any amount over two hundred fifty dollars collected or used to make the independent expenditure or disbursement including:~~
 - ~~a. The name and address of the contributor;~~
 - ~~b. The total amount of the contribution; and~~
 - ~~c. The date the last contribution was received.~~

~~SECTION 7. AMENDMENT. Section 16.1-08.1-06.2 of the North Dakota Century Code is amended and reenacted as follows:~~

~~16.1-08.1-06.2. Secretary of state to provide instructions, make adjustments for inflation, and conduct training.~~

- ~~1. The secretary of state shall provide instructions and conduct training for the purpose of promoting uniform application of campaign finance and disclosure requirements and the uniform filing of statements, registrations, or reports according to this chapter.~~
- ~~2. The secretary also of state shall determine adjustments adjust for inflation of the reporting thresholds in this chapter by one hundred dollars once every ten years from the last calendar year of adjustment and instruct persons submitting reports under this chapter of the adjustments. On The secretary of state shall make the adjustment by~~

~~January first of each adjustment year, the secretary shall determine whether the accumulated change in the consumer price index for all urban consumers (all items, United States city average), as applied to each reporting threshold in this chapter, would result in an adjustment of at least ten dollars of the threshold in effect on that date. If so, the secretary shall deem the reporting threshold adjusted by ten dollars.~~

SECTION 1. AMENDMENT. Section 15.1-09-08 of the North Dakota Century Code is amended and reenacted as follows:

15.1-09-08. School district elections - Candidate filings.

An individual seeking election to the board of a school district shall prepare and sign a document stating the individual's name and the position for which that individual is a candidate. A candidate shall also file a statement of interests as required by section 16.1-09-02. Whether or not the election is held in conjunction with a statewide election, all statements of interest must be filed with the school district business manager, or mailed to and in the possession of the business manager, by four p.m. of the sixty-fourth day before the election. A candidate shall also file a campaign contribution statement as required by section ~~16.1-08.1-02.3~~ 16.1-08.2-03.

SECTION 2. AMENDMENT. Section 15.1-09-19 of the North Dakota Century Code is amended and reenacted as follows:

15.1-09-19. Duties of election officials - Other applicable statutes.

Sections ~~16.1-08.1-03.3~~ 16.1-08.2-07, 16.1-10-01, 16.1-10-06, 16.1-10-06.1, 16.1-10-07, 16.1-10-08, 16.1-13-22, 16.1-13-23, 16.1-13-30, 16.1-15-01, 16.1-15-04, and 16.1-16-04 apply to elections held under sections 15.1-09-09 and 15.1-09-11.

SECTION 3. AMENDMENT. Section 16.1-01-12 of the North Dakota Century Code is amended and reenacted as follows:

16.1-01-12. Election offenses - Penalty.

1. It is unlawful for an individual, measure committee as described in section ~~16.1-08.1-01~~ 16.1-08.2-01, or other organization to:
 - a. Fraudulently alter another individual's ballot, substitute one ballot for another, or otherwise defraud a voter of that voter's vote.
 - b. Cause a disturbance, breach the peace, or obstruct a qualified elector or a member of the election board on the way to or at a polling place.
 - c. Vote more than once in any election.

- d. Knowingly vote in the wrong election precinct or district.
- e. Disobey the lawful command of an election officer as defined in chapter 16.1-05.
- f. Knowingly exclude a qualified elector from voting or knowingly allow an unqualified individual to vote.
- g. Knowingly vote when not qualified to do so.
- h. Sign an initiative, referendum, recall, or any other election petition when not qualified to do so.
- i. Circulate an initiative, referendum, recall, or any other election petition not in its entirety or when unqualified to do so.
- j. Pay or offer to pay any individual, measure committee, or other organization, or receive payment or agree to receive payment, on a basis related to the number of signatures obtained for circulating an initiative, referendum, or recall petition. This subsection does not prohibit the payment of salary and expenses for circulation of the petition on a basis not related to the number of signatures obtained, as long as the circulators file the intent to remunerate before submitting the petitions and, in the case of initiative and referendum petitions, fully disclose all contributions received pursuant to chapter ~~16.1-08.1~~ 16.1-08.2 to the secretary of state upon submission of the petitions. The disclosure of contributions received under this section does not affect the requirement to file a pre-election report by individuals or organizations soliciting or accepting contributions for the purpose of aiding or opposing the circulation or passage of a statewide initiative or referendum petition or measure placed upon a statewide ballot by action of the legislative assembly under chapter ~~16.1-08.1~~ 16.1-08.2. Any signature obtained in violation of this subdivision is void and may not be counted.
- k. Willfully fail to perform any duty of an election officer after having accepted the responsibility of being an election officer by taking the oath as prescribed in this title.
- l. Willfully violate any rule adopted by the secretary of state pursuant to this title.
- m. Willfully make any false canvass of votes, or make, sign, publish, or deliver any false return of an election, knowing the canvass or return to be false; or willfully

- 1 deface, destroy, or conceal any statement or certificate entrusted to the
2 individual's or organization's care.
- 3 n. Destroy ballots, ballot boxes, election lists, or other election supplies except as
4 provided by law, or negatively impact the confidentiality, integrity, or availability of
5 any system used for voting.
- 6 o. Sign a name other than that individual's own name to an initiative, referendum,
7 recall, or any other election petition.
- 8 p. Willfully submit an initiative or referendum petition that contains one or more
9 fraudulent signatures.
- 10 2. a. A violation of subdivisions b, e, f, or h through l of subsection 1 is a class A
11 misdemeanor.
- 12 b. A violation of subdivisions a, c, d, g, or m of subsection 1 is a class C felony.
- 13 c. A violation of subdivision n of subsection 1 is a class C felony.
- 14 d. A violation of subdivision o of subsection 1 is a class A misdemeanor if an
15 individual signs one or two names other than the individual's own name to a
16 petition and is a class C felony if an individual signs more than two names other
17 than the individual's own name to a petition.
- 18 e. An organization, as defined in section 12.1-03-04, that violates this section is
19 subject to the organizational fines in section 12.1-32-01.1. The court in which the
20 conviction is entered shall notify the secretary of state of the conviction and shall
21 order the secretary of state to revoke the certificate of authority of any convicted
22 organization or limited liability company. The organization may not reapply to the
23 secretary of state for authorization to do business under any name for one year
24 upon conviction of a class A misdemeanor and for five years upon conviction of a
25 class C felony under this section, except an organization operating a signature
26 gathering business, or similar enterprise, that violates subdivision p of
27 subsection 1, and is convicted of fraud, is subject to a class A misdemeanor and
28 may not reapply to the secretary of state for authorization to do business under
29 any name for five years following the entry of judgment.
- 30 f. A violation of subdivision p of subsection 1 by any member of a measure
31 committee, including an initiative or referendum sponsoring committee 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 is subject to a civil penalty of not more than three thousand dollars. The civil penalty may be recovered in an action brought in the district court of Burleigh County by the attorney general.

g. An individual who is a member of an organization may be convicted of a violation as an accomplice under section 12.1-03-01.

3. Every act this chapter makes criminal when committed with reference to the election of a candidate is equally criminal when committed with reference to the determination of a question submitted to qualified electors to be decided by votes cast at an election.

SECTION 4. Chapter 16.1-08.2 of the North Dakota Century Code is created and enacted as follows:

16.1-08.2-01. Definitions.

1. "Affiliate" means an organization controlling, is controlled by, or is under common control with another organization. For purposes of this definition, control means the possession, direct or indirect, of the power to direct or cause the direction of the management and policies of an organization, whether through the ownership of voting securities, by contract other than a commercial contract for goods or nonmanagement services, or otherwise. Control is presumed to exist if an organization, directly or indirectly, owns, controls, holds with the power to vote, or holds proxies representing fifty percent or more of the voting securities of any other organization.

2. "Association" means any club, association, union, brotherhood, fraternity, organization, or group of any kind of two or more persons, including labor unions, trade associations, professional associations, or governmental associations, which is united for any purpose, business, or object and which assesses any dues, membership fees, or license fees in any amount, or which maintains a treasury fund in any amount. The term does not include corporations, cooperative corporations, limited liability companies, political committees, or political parties.

3. "Conduit" means a person that is not a political party, political committee, or candidate and which receives a contribution of money and transfers the contribution to a candidate, political party, or political committee when the contribution is designated

specifically for the candidate, political party, or political committee and the person has no discretion as to the recipient and the amount transferred. The term includes a transactional intermediary, including a credit card company or a money transfer service paying or transferring money to a candidate on behalf of another person.

4. "Contribution" means a gift, transfer, conveyance, provision, receipt, subscription, loan, advance, deposit of money, or anything of value, made for the purpose of influencing the nomination for election, or election, of any person to public office or aiding or opposing the circulation or passage of a statewide initiative or referendum petition or measure. The term also means a contract, promise, or agreement, express or implied, whether or not legally enforceable, to make a contribution for any of the above purposes. The term includes funds deposited by a candidate for public office or a political party or committee which are transferred or signed over to that candidate, party, or committee from another candidate, party, or political committee or other source including a conduit. The term "anything of value" includes any good or service of more than a nominal value. The term "nominal value" means the cost, price, or worth of the good or service is trivial, token, or of no appreciable value. The term "contribution" does not include:

- a. A loan of money from a bank or other lending institution made in the regular course of business.
- b. Time spent by volunteer campaign or political party workers.
- c. Money or anything of value deposited for commercial transactions, including rents, advertising, or sponsorships made as a part of a fair market value bargained-for exchange.
- d. Money or anything of value deposited for anything other than a political purpose.
- e. Products or services for which the actual cost or fair market value are reimbursed by a payment of money.
- f. An independent expenditure.
- g. The value of advertising paid by a political party, multicandidate political committee, or caucus which is in support of a candidate.
- h. In-kind contributions from a candidate to the candidate's campaign.

1 5. "Cooperative corporations", "corporations", and "limited liability companies" are as
2 defined in this code, and for purposes of this chapter "corporations" includes nonprofit
3 corporations. However, if a political committee, the only purpose of which is accepting
4 contributions and making expenditures for a political purpose, incorporates for liability
5 purposes only, the committee is not considered a corporation for the purposes of this
6 chapter.

7 6. "Expenditure" means:

8 a. A gift, transfer, conveyance, provision, loan, advance, payment, distribution,
9 disbursement, outlay, or deposit of money or anything of value, except a loan of
10 money from a bank or other lending institution made in the regular course of
11 business, made for a political purpose or for the purpose of influencing the
12 passage or defeat of a measure.

13 b. A contract, promise, or agreement, express or implied, whether or not legally
14 enforceable, to make any expenditure.

15 c. The transfer of funds by a political committee to another political committee.

16 d. An independent expenditure.

17 7. "Expenditure purpose" means the type of expense for which expenditures for a
18 political purpose occurred under this chapter.

19 8. "Foreign national" means:

20 a. A government or country other than the United States.

21 b. A political party organized under the laws of a country other than the United
22 States.

23 c. A corporation, partnership, association, organization, or other combination of
24 persons organized under the laws of or having its principal place of business in a
25 country other than the United States.

26 d. An individual with citizenship of a country other than the United States.

27 e. An individual who is not a citizen or national of the United States and is not
28 admitted lawfully to the United States for permanent residence.

29 9. "Independent expenditure" means an expenditure made for a political purpose or for
30 the purpose of influencing the passage or defeat of a measure if the expenditure is
31 made without the express or implied consent authorization, or cooperation of, and not

1 in concert with or at the request or suggestion of any candidate, committee, or political
2 party.

3 10. "Patron" means a person who owns equity interest in the form of stock, shares, or
4 membership or maintains similar financial rights in a cooperative corporation.

5 11. "Person" means an individual, partnership, political committee, association,
6 corporation, cooperative corporation, limited liability company, or other organization or
7 group of persons.

8 12. "Personal benefit" means a benefit to the candidate or another person which is not for
9 a political purpose or related to a candidate's responsibilities as a public officeholder,
10 and any other benefit that would convert a contribution to personal income.

11 13. "Political committee" means any committee, club, association, or other group of
12 persons which receives contributions or makes expenditures for political purposes and
13 includes:

14 a. A political action committee not connected to another organization and free to
15 solicit funds from the general public, or derived from a corporation, cooperative
16 corporation, limited liability company, affiliate, subsidiary, or an association, which
17 solicits or receives contributions from its employees or members or makes
18 expenditures for political purposes on behalf of its employees or members;

19 b. A candidate committee established to support an individual candidate seeking
20 public office, which solicits or receives contributions for political purposes;

21 c. A political organization registered with the federal election commission, which
22 solicits or receives contributions or makes expenditures for political purposes;

23 d. A multicandidate political committee, including a caucus, established to support
24 multiple groups or slates of candidates seeking public office, which solicits or
25 receives contributions for political purposes; and

26 e. A measure committee, including an initiative or referendum sponsoring
27 committee at any stage of its organization, which solicits or receives contributions
28 or makes expenditures for the purpose of supporting or opposing an initiative or
29 referendum petition, or measure sought to be voted upon by the voters of the
30 state, including any activities undertaken for the purpose of drafting an initiative

1 or referendum petition, seeking approval of the secretary of state for the
2 circulation of a petition, or seeking approval of the submitted petitions.

3 14. "Political party" means any association, committee, or organization which nominates a
4 candidate for election to any office which may be filled by a vote of the electors of this
5 state or any of its political subdivisions and whose name appears on the election ballot
6 as the candidate of the association, committee, or organization.

7 15. "Political purpose" means any activity undertaken in support of or in opposition to the
8 election or nomination of a candidate to public office and includes using "vote for",
9 "oppose", or any similar support or opposition language in any advertisement whether
10 the activity is undertaken by a candidate, a political committee, a political party, or any
11 person. The term includes paying any expenses related to the election or nomination
12 of a candidate. This term does not include activities undertaken in the performance of
13 a duty of a public office or any position taken in any bona fide news story, commentary
14 or editorial.

15 16. "Public office" means every office to which an individual can be elected by vote of the
16 people under the laws of this state.

17 17. "Subsidiary" means an affiliate of a corporation under the control of the corporation
18 directly or indirectly through one or more intermediaries.

19 18. "Ultimate and true source" means the person that knowingly contributed over two
20 hundred fifty dollars solely to influence a statewide election or an election for the
21 legislative assembly.

22 **16.1-08.2-02. General provisions.**

23 1. A political committee, except those defined in subdivision c of subsection 13 of section
24 16.1-08.2-01, shall register its name, mailing address, telephone number, and
25 nongovernment-issued electronic mail address, and its agent's name, mailing address,
26 telephone number, and nongovernment-issued electronic mail address, and a
27 designation as to whether the committee is incorporated solely for the purpose of
28 liability protection, with the secretary of state. A candidate who does not have a
29 candidate committee shall register the candidate's name, mailing address, telephone
30 number, and nongovernment-issued electronic mail address with the secretary of
31 state. If the candidate has an agent, the candidate also shall register the agent's

1 name, mailing address, telephone number, and nongovernment-issued electronic mail
2 address with the secretary of state.

3 2. The registration required under this section for a candidate or political committee that
4 has not previously registered with the secretary of state must be submitted within
5 fifteen business days of the deposit date of any contribution or expenditure made.

6 3. A candidate or political committee required to be registered under this section shall
7 register with the secretary of state each year during which the candidate holds public
8 office or during which the political committee receives contributions, makes
9 expenditures for political purposes, or has a balance in the campaign account. An
10 individual who no longer holds public office or an individual who no longer seeks public
11 office shall register with the secretary of state each year in which contributions are
12 deposited, expenditures are made for political purposes, or a balance remains in the
13 campaign account.

14 4. Any statement filed with the secretary of state under this chapter must be:

15 a. Filed electronically within the prescribed time and in the format established by the
16 secretary of state. If the secretary of state does not receive a statement, an
17 electronic duplicate of the statement must be filed promptly upon notice by the
18 secretary of state of its nonreceipt. After a statement has been filed, the secretary
19 of state may request or accept written clarification along with an amended
20 statement from a candidate, political party, or political committee filing the
21 statement when discrepancies, errors, or omissions on the statement are
22 discovered by the secretary of state, the candidate, political party, or political
23 committee filing the statement, or by any interested party reciting a lawful reason
24 for requesting clarification and an amendment be made. When requesting an
25 amended statement, the secretary of state shall establish a reasonable period of
26 time, not to exceed ten days, agreed to by the candidate, political party, or
27 political committee, for filing the amended statement with the secretary of state.

28 b. Preserved by the secretary of state for a period of ten years from the date of the
29 filing deadline. The statement must be considered a part of the public records of
30 the secretary of state's office and must be open to public inspection on the
31 internet.

1 5. In determining the amount of individual contributions from any contributor, all amounts
2 deposited from the same contributor during the reporting period must be aggregated
3 to report an overall total contribution for the purposes of the statements required by
4 this chapter. Contributions made separately by different persons from joint accounts
5 are considered separate contributions for reporting purposes.

6 6. In determining the amount of expenditures to any recipient, all expenditures to the
7 same recipient during the reporting period must be aggregated to report an overall
8 total expenditure for the purposes of the statements required by this chapter.

9 7. In reporting a contribution deposited through a conduit, a candidate, political party, or
10 political committee shall list each reportable contribution identifying the person that
11 submitted the contribution to the conduit and provide the required information
12 regarding the contribution from that person rather than identifying the conduit as the
13 contributor.

14 8. A political committee organizing and registering according to federal law which makes
15 an independent expenditure or makes a disbursement in excess of two hundred fifty
16 dollars to a nonfederal candidate seeking public office, a political party, or political
17 committee shall report as a political committee according to sections 16.1-08.2-03 and
18 16.1-08.2-06.

19 9. To ensure accurate reporting and avoid commingling of campaign and personal funds,
20 candidates shall use dedicated campaign accounts that are separate from any
21 personal accounts.

22 10. Registration by a political committee under this section does not reserve the name for
23 exclusive use nor does it constitute registration of a trade name under chapter 47-25.

24 11. A candidate or candidate committee for a county office, city office, or school district
25 office are exempt from registering and filing with the secretary of state. Any other
26 person required to file a statement under this chapter shall file the statement with the
27 secretary of state.

28 a. A candidate for city office in a city with a population under five thousand and a
29 candidate committee for the candidate are exempt from this chapter. A candidate
30 for school district office in a school district with a fall enrollment of fewer than one

1 thousand students and a candidate committee for the candidate are exempt from
2 this chapter.

3 b. A candidate for county office and a candidate committee for a candidate for
4 county office shall file statements under this chapter with the county auditor. A
5 candidate for city office and a candidate committee for a candidate for city office
6 shall file statements under this chapter with the city auditor. A candidate for
7 school district office and a candidate committee for a candidate for school district
8 office shall file statements under this chapter with the school business manager.

9 **16.1-08.2-03. Pre-election, supplemental, and year-end campaign disclosure**
10 **statement requirements for candidates, candidate committees, multicandidate**
11 **committees, political committees, and political parties.**

12 1. Before a primary or special election, and before and following a general election, a
13 candidate or candidate committee formed on behalf of the candidate, a multicandidate
14 political committee, a political committee, or a political party soliciting or accepting
15 contributions shall file a campaign disclosure statement from:

- 16 a. January first through April thirtieth before a primary election.
17 b. May first through September thirtieth before a general election.
18 c. October first through December thirty-first following a general election.
19 d. January first through the fortieth day before a special election.

20 2. A candidate whose name is not on the ballot and who is not seeking election through
21 write-in votes, the candidate's candidate committee, and a political party that has not
22 endorsed or nominated any candidate in the election is not required to file a statement
23 under subsection 1, but is required to file a statement under subsection 6.

24 3. The statement before a primary, general, or special election under subsection 1 may
25 be submitted for filing beginning on the day following the end of the reporting period
26 and must be submitted before the eighth day following the reporting period. The
27 statement following the general election may be submitted for filing beginning on
28 January first and must be submitted before February first.

29 4. A statement filed under subsection 1 must include the following information:

30 a. For each contribution deposited during the reporting period, the:

31 (1) Name and the city and state of the contributor;

- 1 (2) Total amount of the contribution; and
- 2 (3) Date the last contributed amount was deposited.
- 3 b. For each expenditure during the reporting period, the:
- 4 (1) Name of the recipient and location of purchase;
- 5 (2) Total amount of the expenditure made to the recipient;
- 6 (3) Date of the expenditure; and
- 7 (4) Expenditure purpose.
- 8 c. The total of all contributions and expenditures which total in excess of two
- 9 hundred fifty dollars during the reporting period.
- 10 d. The aggregated total of contributions and expenditures which are two hundred
- 11 fifty dollars or less during the reporting period.
- 12 e. For a candidate, a candidate committee formed on behalf of a candidate, a
- 13 multicandidate committee, or a political party, the balance of the campaign fund
- 14 on the last day of the reporting period and the balance of the campaign fund on
- 15 the first day of the reporting period.
- 16 5. Beginning on May first before a primary election, October first before a general
- 17 election, and thirty-nine days before a special election through the day before the
- 18 election, a person filing a statement under subsection 1 must file a supplemental
- 19 statement within forty-eight hours of the start of the day following the deposit of a
- 20 contribution or aggregate contribution from a contributor which is in excess of five
- 21 hundred dollars. The statement must include the:
- 22 a. Name and the city and state of the contributor;
- 23 b. Total amount of the contribution deposited during the reporting period; and
- 24 c. Date the last contributed amount was deposited.
- 25 6. Before February first, a candidate whose name is not on the ballot and who is not
- 26 seeking election through write-in votes or the candidate's candidate committee, a
- 27 multicandidate political committee, a political committee, or a political party soliciting or
- 28 accepting contributions not required to file a statement under subsection 1 shall file a
- 29 campaign disclosure statement including all contributions deposited and expenditures
- 30 made from January first through December thirty-first of the previous year. The
- 31 statement may be submitted for filing beginning on January first. The filer shall indicate

1 on the report the corresponding reporting period, as described under section 1, in
2 which each contribution was deposited and expenditure was made to determine
3 whether the filer's aggregated totals exceed two hundred fifty dollars for the reporting
4 period. The statement filed according to this section must include the following
5 information:

6 a. For a candidate, a candidate committee formed on behalf of a candidate, a
7 multicandidate committee, or political party, the balance of the campaign fund on
8 January first and on December thirty-first.

9 b. For each contribution deposited during the reporting period, the:

10 (1) Name and the city and state of the contributor;

11 (2) Total amount of the contribution; and

12 (3) Date the last contributed amount was deposited.

13 c. For each expenditure during the reporting period, the:

14 (1) Name of the recipient and location of purchase;

15 (2) Total amount of the expenditure made to the recipient;

16 (3) Date of the expenditure; and

17 (4) Expenditure purpose.

18 d. The total of all contributions and expenditures which total in excess of two
19 hundred fifty dollars during the reporting period.

20 e. The aggregated total of contributions and expenditures which are two hundred
21 fifty dollars or less during the reporting period.

22 7. Contributions and expenditures of two hundred fifty dollars or less in the aggregate
23 filed under this section are exempt records under chapter 44-04 and reported as part
24 of aggregate totals only.

25 8. A candidate, a candidate committee formed on behalf of a candidate, or a
26 multicandidate committee for county office, city office, or school district office shall
27 report aggregated contributions and expenditures of two hundred fifty dollars or less
28 under this section.

29 9. A person required to file a statement under this section shall report each aggregated
30 contribution from a contributor which totals five thousand dollars or more during the

1 reporting period. For these contributions from individuals, the statement must include
2 the contributor's occupation, employer, and the employer's principal place of business.

3 10. A political committee that qualifies as a nonprofit entity under section 501(c)(4) of the
4 Internal Revenue Code [26 U.S.C. 501 (c)(4)] is not required to disclose the
5 information under this section.

6 11. A political committee that registers according to federal law and files a campaign
7 disclosure statement in accordance with this section is required to include only
8 contributions received or expenditures made for a nonfederal political purpose related
9 to this state or for the purpose of influencing an initiated petition or the passage or
10 defeat of a measure in this state.

11 12. A political committee that registers according to federal law is not required to file a
12 campaign disclosure statement in accordance with this section for a reporting period in
13 which the political committee maintains a campaign balance and does not receive a
14 contribution or make an expenditure that is reportable under this section.

15 **16.1-08.2-04. Special requirements for state political parties.**

16 1. State political parties shall establish separate and segregated accounts for the
17 management of state nominating conventions. All revenue obtained and expenditures
18 made for the planning and running of a state convention must be accounted for in
19 these accounts.

20 2. A postconvention statement must be filed with the secretary of state sixty days after
21 the close of the state nominating convention. The reporting period for the
22 postconvention statement begins on the first day of January of the reporting year and
23 ends thirty days after the close of the state nominating convention.

24 3. A year-end statement covering the entire calendar year must be filed with the
25 secretary of state before February first of the following year even if no convention
26 revenue was deposited or expenditures made within the calendar year.

27 4. The statement filed under this section must show:

28 a. The balance of the filer's convention accounts at the start and close of the
29 reporting period.

30 b. The total of all revenue deposited and expenditures made of two hundred fifty
31 dollars or less.

- 1 c. The total of all revenue deposited and expenditures made in excess of two
2 hundred fifty dollars.
- 3 d. For revenues received and deposited, the:
4 (1) Name of each person providing the revenue;
5 (2) City and state of each person providing revenue;
6 (3) Date of the most recent deposit of revenue from each person providing
7 revenue; and
8 (4) Purpose or purposes for which revenue was deposited from each person.
- 9 e. For each expenditure made, the:
10 (1) Name of each person to which the expenditure was made;
11 (2) City and state of each person to which the expenditure was made;
12 (3) Date of the most recent expenditure made to each person or entity; and
13 (4) Purpose or purposes for which the aggregated expenditure total was
14 disbursed to each person or entity.
- 15 f. The total of all contributions and expenditures which total in excess of two
16 hundred fifty dollars during the reporting period.
- 17 g. The aggregated total of contributions and expenditures which are two hundred
18 fifty dollars or less during the reporting period.
- 19 h. For each aggregated revenue from an individual which totals five thousand
20 dollars or more during the reporting period, the occupation, employer, and
21 principal place of business of the individual.
- 22 5. Revenues received and expenditures made of two hundred fifty dollars or less in the
23 aggregate filed under this section are exempt records under chapter 44-04 and
24 reported as part of aggregate totals only.
- 25 6. If a net gain from the convention is transferred to the accounts established for the
26 support of the nomination or election of candidates, the total transferred must be
27 reported as a contribution in the statements required by section 16.1-08.2-03.
- 28 7. If a net loss from the convention is covered by a transfer from the accounts
29 established for the support of the nomination or election of candidates, the total
30 transferred must be reported as an expenditure in the statements required by section
31 16.1-08.2-03.

1 8. A state political party or nonprofit entity affiliated with or under the control of a state
2 political party, which receives a donation for purchasing, maintaining, or renovating a
3 building, shall file a statement with the secretary of state before February first of each
4 calendar year. Any income or financial gain generated from a building purchased,
5 maintained, or renovated from donations must be deposited in the building fund and
6 must be disclosed when the political party or nonprofit entity files the statement
7 required under this section. Money in the fund may be used only by the state political
8 party or nonprofit entity affiliated with or under the control of a state political party for
9 purchasing, maintaining, or renovating a building, including the purchase of fixtures for
10 the building. The statement may be submitted for filing beginning on January first and
11 must include the:

- 12 a. Balance of the building fund on January first;
13 b. Name and the city and state of each donor;
14 c. Amount of each donation;
15 d. Date each donation was deposited;
16 e. Name and the city and state of each recipient of an expenditure;
17 f. Amount of each expenditure;
18 g. Date each expenditure was made; and
19 h. Balance of the fund on December thirty-first.

20 **16.1-08.2-05. Special requirements for statements required of persons engaged in**
21 **activities regarding ballot measures.**

- 22 1. For each reportable contribution and expenditure under section 16.1-08.2-03, the
23 threshold for reporting is one hundred dollars for any person engaged in activities
24 described in subdivision e of subsection 13 of section 16.1-08.2-01.
25 2. For contributions deposited from any contributor, a person engaged in activities
26 described in subdivision e of subsection 13 of section 16.1-08.2-01 shall include the
27 following information regarding each subcontributor that has stated a contribution is for
28 the express purpose of furthering the passage or defeat of a ballot measure in the
29 statements required under section 16.1-08.2-03:
30 a. A designation as to whether any person contributed in excess of one hundred
31 dollars of the total contribution;

b. The name and the city and state of each subcontributor contributing in excess of one hundred dollars of the total contribution;

c. The contribution amounts of each disclosed subcontributor; and

d. The occupation, employer, and address for the employer's principal place of business of each disclosed subcontributor.

3. A measure committee which is seeking approval for an initiative or referendum shall file a disclosure statement by the date the secretary of state approves the petition for circulation. Thereafter, the measure committee is required to file disclosure statements as directed by section 16.1-08.2-03.

4. Contributions and expenditures of one hundred dollars or less in the aggregate filed in a disclosure statement as directed by section 16.1-08.2-03 are exempt records under chapter 44-04 and reported as part of aggregate totals only.

5. A measure committee that is seeking approval for an initiative or referendum shall file a statement regarding its intent to compensate circulators before paying for petitions to be circulated.

16.1-08.2-06. Special requirements for political committees organized and registered under federal law.

1. A political committee organizing and registering according to federal law which makes an independent expenditure or makes a disbursement in excess of two hundred fifty dollars to a nonfederal candidate seeking public office or to a political party or political committee in this state shall file a copy of that portion of the committee's federal report detailing the independent expenditure or the disbursement made.

2. The political committee shall file a copy of the committee's federal report, and supplementary information as necessary under this section, with the secretary of state at the time of filing the report with the applicable federal agency. The report and supplementary information must include the:

a. Name, city and state, and treasurer of the political committee;

b. Recipient's name and mailing address;

c. Date and amount of the independent expenditure or disbursement; and

d. Ultimate and true source of funds listed by contributor and subcontributor for any amount over two hundred fifty dollars collected or used to make the independent expenditure or disbursement including the:

(1) Name, city and state, and treasurer of the political committee;

(2) Total amount of the contribution; and

(3) Date the last contribution was deposited.

16.1-08.2-07. Campaign contributions by corporations, cooperative corporations, limited liability companies, affiliates, subsidiaries, and associations - Penalty.

1. A corporation, cooperative corporation, limited liability company, affiliate, subsidiary, or association may establish, administer, and solicit contributions to a separate and segregated fund to be used for political purposes by the corporation, cooperative corporation, limited liability company, affiliate, subsidiary, or association. It is unlawful for:

a. The person controlling the fund to make contributions or expenditures using money or anything of value secured by physical force, job discrimination, financial reprisals, or the threat of those actions, or use money from dues, fees, treasury funds, or other money required as a condition of membership in an association, or as a condition of employment, or use money obtained in any commercial transaction. Moneys from fees, dues, treasury funds, or money obtained in a commercial transaction may, however, be used to pay costs of administration of the fund.

b. Any person soliciting an employee, stockholder, patron, board member, or member for a contribution to the fund to fail to inform the employee or member of the political purposes of the fund at the time of the solicitation or of the general political philosophy intended to be advanced through committee activities.

c. Any person soliciting an employee or member for a contribution to the fund to fail to inform the employee or member at the time of the solicitation of the right to refuse to contribute without any reprisal.

d. Any contribution to be accepted without keeping an accurate record of the contributor and amount contributed and of amounts expended for political purposes.

1 e. Any contribution to be accepted from any person not an employee, a stockholder,
2 a patron, a board member or a member of the corporation, cooperative
3 corporation, limited liability company, affiliate, subsidiary, or association
4 maintaining the political action committee, except a corporation may accept a
5 contribution from an employee, a stockholder, a patron, a board member, or a
6 member of an affiliate or a subsidiary of the corporation.

7 f. Any expenditure made for political purposes to be reported under this section
8 before control of the expenditure has been released by the political action
9 committee except if there is a contract, a promise, or an agreement, expressed or
10 implied, to make the expenditure.

11 2. A person may not make a payment of that person's money or of another person's
12 money to any other person for a political purpose in any name other than that of the
13 person supplying the money and a person may not knowingly receive the payment nor
14 enter nor cause the payment to be entered in that person's account or record in any
15 name other than that of the person by which it actually was furnished.

16 3. If an officer, employee, agent, attorney, or other representative of a corporation,
17 cooperative corporation, limited liability company, affiliate, subsidiary, or association
18 makes any contribution prohibited by this section out of corporate, cooperative
19 corporation, limited liability company, affiliate, subsidiary, or association funds or
20 otherwise violates this section, it is prima facie evidence of a violation by the
21 corporation, cooperative corporation, limited liability company, affiliate, subsidiary, or
22 association.

23 4. Corporations, cooperative corporations, limited liability companies, affiliates,
24 subsidiaries, and associations may make expenditures and contributions for promoting
25 any general political philosophy or belief deemed in the best interest of the employees,
26 stockholders, patrons, or members of the corporation, cooperative corporation, limited
27 liability company, affiliate, subsidiary, or association other than a "political purpose" as
28 defined by this chapter. A corporation, cooperative corporation, limited liability
29 company, affiliate, subsidiary, or association may not make a contribution for a political
30 purpose.

1 5. A corporation, cooperative corporation, limited liability company, affiliate, subsidiary, or
2 association may make a donation of property or money to a state political party or
3 nonprofit entity affiliated with or under the control of a state political party for deposit in
4 a separate and segregated building fund.

5 6. A corporation, cooperative corporation, limited liability company, affiliate, subsidiary, or
6 association may make an expenditure to a measure committee for the purpose of
7 promoting the passage or defeat of an initiated or referred measure or petition or
8 make an expenditure to any other person making an independent expenditure. A
9 corporation, cooperative corporation, limited liability company, affiliate, subsidiary, or
10 association may make an independent expenditure for a political purpose, including
11 political advertising in support of or opposition to a candidate, political committee, or a
12 political party, or for the purpose of promoting passage or defeat of initiated or referred
13 measures or petitions. The corporation, cooperative corporation, limited liability
14 company, affiliate, subsidiary, or association shall file a statement disclosing any
15 expenditure made under this subsection with the secretary of state within forty-eight
16 hours after making the expenditure. The statement must include:

17 a. The full name of the corporation, cooperative corporation, limited liability
18 company, affiliate, subsidiary, or association;

19 b. The complete address of the corporation, cooperative corporation, limited liability
20 company, affiliate, subsidiary, or association;

21 c. The name of the recipient of the expenditure;

22 d. If the expenditure is related to a measure or petition, the title of the measure or
23 petition and whether the expenditure is made in support of or opposition to the
24 measure or petition;

25 e. If the expenditure is related to a measure, the election date on which the
26 measure either will appear or did appear on the ballot;

27 f. The amount of the expenditure;

28 g. The cumulative total amount of expenditures since the beginning of the calendar
29 year which are required to be reported under this subsection;

h. The telephone number and the printed name and signature of the individual completing the statement, attesting to the statement being true, complete, and correct; and

i. The date on which the statement was signed.

7. A violation of this section may be prosecuted in the county where the contribution is made or in any county in which it has been paid or distributed.

8. It is a class A misdemeanor for an officer, director, stockholder, manager, governor, member, attorney, agent, or representative of any corporation, cooperative corporation, limited liability company, affiliate, subsidiary, or association to violate this section or to counsel or consent to any violation. Any person that solicits or knowingly receives any contribution in violation of this section is guilty of a class A misdemeanor.

9. Any officer, director, stockholder, manager, governor, member, attorney, agent, or representative who makes, counsels, or consents to the making of a contribution in violation of this section is liable to the company, corporation, limited liability company, affiliate, subsidiary, or association for the amount so contributed.

16.1-08.2-08. Special requirements for conduits.

A conduit transferring any contribution to a candidate, political party, or political committee shall provide the recipient of the contribution a detailed statement listing the name and address of each individual contributor, the amount of each contribution, and the date each contribution was deposited. The conduit also shall include on the statement the occupation, employer, and principal place of business of each contributor, or the political committee if not already registered according to state or federal law, which contributed five thousand dollars or more in the aggregate during a reporting period applicable to the candidate, political party, or political committee. The conduit shall provide the statement to the candidate, political party, or political committee in a manner to allow the candidate, political party, or political committee to file any statement required to be filed under this chapter.

16.1-08.2-09. General prohibitions.

1. A foreign national may not make or offer to make, directly or indirectly, a contribution or expenditure in connection with any election.

2. A candidate, candidate committee, political committee, political party, or any other person may not solicit, accept, or receive, directly or indirectly, a contribution from a foreign national.

3. A candidate may not use any contribution deposited by the candidate, the candidate's candidate committee, or a multicandidate political committee to:

a. Give a personal benefit to the candidate or another person;

b. Make a loan to another person;

c. Knowingly pay more than the fair market value for goods or services purchased for the campaign; or

d. Pay a criminal fine or civil penalty.

4. If the secretary of state has substantial reason to believe any person knowingly violated this section, the secretary shall arrange for an audit as authorized by section 16.1-08.2-10.

5. A person may not be excused from attending and testifying or producing any books, papers, or other documents before any court upon any investigation, proceeding, or trial for a violation of any of the provisions of this chapter, upon the grounds that the testimony or evidence, documentary or otherwise, required of the person may tend to incriminate or degrade the person. A person may not be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which the person may testify or produce evidence, documentary or otherwise. Any testimony given or produced may not be used against the person in any criminal investigation or proceeding.

16.1-08.2-10. Audit by secretary of state.

1. If a substantial irregularity is evident or reasonably alleged, the secretary of state may arrange an audit of any statement filed pursuant to this chapter, to be performed by a certified public accountant of the filer's choice, subject to approval by the secretary of state. If an audit of a statement arranged by the secretary of state under this subsection reveals a violation of this chapter, the candidate, political party, political committee, or other person filing the statement shall pay a fine to the secretary of state equal to two hundred percent of the aggregate of contributions and expenditures found to be in violation or an amount sufficient to pay the cost of the audit, whichever

1 is greater. If an audit of a statement arranged by the secretary of state under this
2 subsection does not reveal a violation of this chapter, the cost of the audit must be
3 paid for by the secretary of state.

4 2. If a substantial irregularity is reasonably alleged, the secretary of state may arrange an
5 audit of any statement filed pursuant to this chapter, performed by a certified public
6 accountant of the filer's choice, subject to approval by the secretary of state, upon
7 written request by any interested party made to the secretary of state within thirty days
8 following receipt of a statement by the secretary of state. The request must be made in
9 writing, recite a substantial irregularity and a lawful reason for requesting an audit, and
10 be accompanied by a bond in an amount established by the secretary of state
11 sufficient to pay the cost of the audit. If an audit of a statement arranged by the
12 secretary of state under this subsection reveals a violation of this chapter, the
13 candidate, political party, or political committee filing the statement shall pay a fine to
14 the secretary of state equal to two hundred percent of the aggregate of contributions
15 and expenditures found to be in violation or an amount sufficient to pay the cost of the
16 audit, whichever is greater, and the bond must be returned to the person submitting it.
17 If an audit of a statement arranged by the secretary of state under this subsection
18 does not reveal a violation of this chapter, the cost of the audit must be satisfied from
19 the bond filed with the secretary of state.

20 3. An audit may not be made or requested of a statement for the sole reason that it was
21 not timely filed with the secretary of state. An audit made or arranged according to this
22 section must audit only those items required to be included in any statement,
23 registration, or report filed with the secretary of state according to this chapter. The
24 secretary of state may collect any payment obligation arising out of this section by civil
25 action or by assignment to a collection agency, with any costs of collection to be
26 added to the amount owed and to be paid by the delinquent filer. Any remaining
27 moneys collected by the secretary of state after an audit is paid for under this section
28 must be deposited in the state's general fund. This section does not apply to
29 statements filed by candidates or candidate committees for candidates for county, city,
30 or school district offices.

16.1-08.2-11. Filing officer to charge and collect filing fees.

1. If a statement or report required to be filed according to this chapter is not filed within the prescribed time, the filing officer to whom the report was to be filed is authorized to charge and collect a late fee as follows:
 - a. Within six days after the prescribed time, fifty dollars;
 - b. Within thirteen days after the prescribed time, one hundred dollars; and
 - c. Thereafter, five hundred dollars.
2. Any amendment filed by the candidate, candidate committee, multicandidate committee, political committee, or political party, or at the request of the filing officer, the filing officer to whom the report was to be filed is authorized to charge and collect a late fee as follows:
 - a. Within six days after the date the amendment was due, fifty dollars;
 - b. Within eleven days after the date the amendment was due, one hundred dollars;
and
 - c. Thereafter, five hundred dollars.
3. Any fines paid under this section must be reported on the statement filed by the candidate, candidate committee, multicandidate committee, political committee, or political party.
4. The filing officer may collect any payment obligation arising out of this section by civil action or by assignment to a collection agency, with any costs of collection to be added to the amount owed and to be paid by the delinquent filer.

16.1-08.2-12. Secretary of state to provide instruction and adjust thresholds for inflation.

1. The secretary of state shall provide instructions and conduct training for the purpose of promoting uniform application of campaign finance and disclosure requirements and the uniform filing of statements, registrations, or reports according to this chapter.
2. The secretary of state shall adjust for inflation the reporting thresholds in this chapter by one hundred dollars once every ten years from the last calendar year of adjustment and inform persons submitting reports under this chapter of the adjustments. The secretary of state shall make the adjustments beginning January first of each adjustment year beginning January 1, 2026.

16.1-08.2-13. Penalty.

Except as otherwise provided, any person who willfully violates any provision of this chapter is guilty of a class A misdemeanor.

SECTION 5. AMENDMENT. Subdivision b of subsection 2 of section 16.1-10-02 of the North Dakota Century Code is amended and reenacted as follows:

b. "Property" ~~includes:~~

(1) Includes motor vehicles, telephones, ~~typewriters~~ computers, adding machines, postage or postage meters, funds of money, and buildings.

However, nothing in this section may be construed to prohibit any candidate, political party, committee, or organization from using any public building for such political meetings as may be required by law, or to prohibit such candidate, party, committee, or organization from hiring the use of any public building for any political purpose if such lease or hiring is otherwise permitted by law.

(2) Does not include a public building temporarily leased at fair market value to a public or private entity for a political purpose.

(3) Does not include the private portion of the governor's residence.

SECTION 6. AMENDMENT. Section 16.1-10-04.1 of the North Dakota Century Code is amended and reenacted as follows:

16.1-10-04.1. Certain political advertisements to disclose name of sponsor - Name disclosure requirements.

Every political advertisement by newspaper, pamphlet or folder, display card, sign, poster, or billboard, website, or by any other similar public means, on behalf of or in opposition to any candidate for public office, designed to assist, injure, or defeat the candidate by reflecting upon the candidate's personal character or political action, or by a measure committee as described in section ~~16.1-08.1-01~~ 16.1-08.2-01, or a corporation making an independent expenditure either for or against a measure, must disclose on the advertisement the name of the person, as defined in section ~~16.1-08.1-01~~ 16.1-08.2-01, or political party paying for the advertisement. If the name of a political party, association, or partnership is used, the disclaimer must also include the name of the chairman or other responsible individual from the political party, association, or partnership. The name of the person paying for any radio or television broadcast

1 containing any advertising announcement for or against any candidate for public office must be
2 announced at the close of the broadcast. If the name of a political party, association, or
3 partnership is used, the disclaimer must also include the name of the chairman or other
4 responsible individual from the political party, association, or partnership. In every political
5 advertisement in which the name of the person paying for the advertisement is disclosed, the
6 first and last name of any named individual must be disclosed. An advertisement paid for by an
7 individual candidate or group of candidates must disclose that the advertisement was paid for
8 by the individual candidate or group of candidates. The first and last name or names of the
9 candidates paying for the advertisement are not required to be disclosed. This section does not
10 apply to campaign buttons.

11 **SECTION 7. AMENDMENT.** Subdivision f of subsection 8 of section 51-28-01 of the North
12 Dakota Century Code is amended and reenacted as follows:

- 13 f. By or on behalf of a political party, candidate, or other group with a political
14 purpose, as defined in section ~~16.1-08.1-01~~ 16.1-08.2-01, unless the
15 communication is a text message.

16 **SECTION 8. AMENDMENT.** Subsection 11 of section 54-66-01 of the North Dakota Century
17 Code is amended and reenacted as follows:

- 18 11. "Ultimate and true source" means the person that knowingly contributed over two
19 hundred fifty dollars solely to lobby or influence state government action.

20 **SECTION 9. AMENDMENT.** Section 54-66-02 of the North Dakota Century Code is
21 amended and reenacted as follows:

22 **54-66-02. Disclosure of ultimate and true source of funds.**

- 23 1. A lobbyist who expends an amount greater than two hundred fifty dollars to lobby shall
24 file with the secretary of state a report that includes the known ultimate and true
25 source of funds for the expenditure. The report must be filed with the lobbyist
26 expenditure report required under subsection 2 of section 54-05.1-03.
27 2. A person that expends an amount greater than two hundred fifty dollars, not including
28 the individual's own travel expenses and membership dues, to influence state
29 government action shall file with the secretary of state a report including the known
30 ultimate and true source of funds for the expenditure. A report under this subsection
31 must be filed on or before the August first following the date of the expenditure. The

1 secretary of state shall provide a form for reports under this subsection and make the
2 form electronically accessible to the public. The secretary of state also shall charge
3 and collect fees for late filing of the reports as follows:

- 4 a. Twenty-five dollars for a report filed within sixty days after the deadline; or
5 b. Fifty dollars for a report filed more than sixty days after the deadline.

6 3. The secretary of state shall compile the reports required under this section and make
7 the reports electronically accessible to the public.

8 4. A resident taxpayer may commence an action in a district court of this state against a
9 person required to comply with this section to compel compliance if all other
10 enforcement measures under this chapter have been exhausted and the taxpayer
11 reasonably believes the person has failed to comply with this section.

12 5. The secretary of state shall ~~determine adjustments~~adjust for inflation ~~of the reporting~~
13 thresholds in this section by one hundred dollars once every ten years from the last
14 calendar year of adjustment and instruct persons submitting reports under this section
15 of the adjustments. ~~On~~The secretary of state shall make the adjustment by January
16 first of each adjustment year, ~~the secretary shall determine whether the accumulated~~
17 ~~change in the consumer price index for all urban consumers (all items, United States~~
18 ~~city average), as applied to each reporting threshold in this section, would result in an~~
19 ~~adjustment of at least ten dollars of the threshold in effect on that date. If so, the~~
20 ~~secretary of state shall deem the reporting threshold adjusted by ten dollars~~ beginning
21 January 1, 2026.

22 **SECTION 10. REPEAL.** Chapter 16.1-08.1 of the North Dakota Century Code is repealed.

23 **SECTION 11. APPLICATION.** A person required to file a campaign disclosure statement
24 under sections 16.1-08.1-02.1, 16.1-08.1-02.2, 16.1-08.1-02.3, and 16.1-08.1-02.4 disclosing
25 contributions received and expenditures made from January first through December thirty-first
26 of 2025, shall file the statement in accordance with the statutory requirements under chapter
27 16.1-08.1 as it existed prior to its repeal.

28 **SECTION 12. EFFECTIVE DATE.** Sections 1, 2, 3, 4, 6, 7, 8, 9, and 10 of this Act become
29 effective on January 1, 2026.

HB 1377 050125 1339 PM Roll Call Vote

Amendment

HB 1377

Date Submitted: May 1, 2025, 1:39 p.m.

Action: Passed

Amendment LC #: Pending LC #

Motioned By: Roers, Kristin

Seconded By: Barta, Jeff

Emergency Clause: None

Vote Results: 6 - 0 - 0

Description: Increasing fines regarding
campaign disclosure statements.

Rep. Porter, Todd	Yea
Rep. Dockter, Jason	Yea
Rep. Hagert, Jared	Yea
Sen. Roers, Kristin	Yea
Sen. Barta, Jeff	Yea
Sen. Castaneda, Jose	Yea

HB 1377 050125 1340 PM Roll Call Vote

Final Recommendation

HB 1377

Date Submitted: May 1, 2025, 1:40 p.m.

Recommendation: In Place Of

Amendment LC #: 25.0517.03005

Engrossed LC #: N/A

Motioned By: Roers, Kristin

Seconded By: Barta, Jeff

House Carrier: Porter, Todd

Senate Carrier: Roers, Kristin

Emergency Clause: None

Vote Results: 6 - 0 - 0

Description: replace 25.0517.03002 with
25.0517.03004

Rep. Porter, Todd	Yea
Rep. Dockter, Jason	Yea
Rep. Hagert, Jared	Yea
Sen. Roers, Kristin	Yea
Sen. Barta, Jeff	Yea
Sen. Castaneda, Jose	Yea

**REPORT OF CONFERENCE COMMITTEE
ENGROSSED HB 1377**

Your conference committee (Sens. Roers, Barta, Castaneda and Reps. Porter, Dockter, Hagert) recommends that in place of amendment [25.0517.03002](#) adopted by the Senate, Engrossed HB 1377 is amended by amendment [25.0517.03005](#).

Engrossed HB 1377 was placed on the Seventh order of business on the calendar.

2025 HOUSE STANDING COMMITTEE MINUTES

Finance and Taxation Committee Room JW327E, State Capitol

HB 1377
5/2/2025
Conference Committee

Relating to campaign disclosure statements; to amend and reenact sections 15.1-09-08, 15.1-09-19, and 16.1-01-12, subdivision b of subsection 2 of section 16.1-10-02, section 16.1-10-04.1, subdivision f of subsection 8 of section 51-28-01, subsection 11 of section 54-66-01, and section 54-66-02 of the North Dakota Century Code, relating to campaign disclosure statements, authorized use of state property for political purposes, and inflationary adjustments for campaign finance reporting thresholds; to repeal chapter 16.1-08.1 of the North Dakota Century Code, relating to campaign disclosure statements; to provide a penalty; to provide for application; and to provide an effective date.

3:30 p.m. Madam Chair Steiner called the meeting to order.

Members Present: Madam Chair Steiner, Representatives Schauer, Vetter; Senators Roers, Barta, Castaneda

Discussion Topics:

- Campaign Contribution Statements
- Campaign Finance Online
- Campaign Reports
- ND Compliance Officer for Fines

3:30 p.m. Madam Chair Steiner opened discussion.

3:44 p.m. Senator Roers discussed previously submitted testimony #45349 and #45350 from 5/1/2025.

3:45 p.m. Representative Vetter moved to amend to include the Governor's amendment and Attorney General opinion amendment.

3:45 p.m. Senator Castaneda seconded the motion.

3:46 p.m. Roll Call Vote. Motion passed 6-0-0.

4:02 p.m. Representative Schauer moved to amend the late fees to \$50, \$100, and \$150.

4:02 p.m. Senator Barta seconded the motion.

4:03 p.m. Roll Call Vote. Motion passed 6-0-0.

4:03 p.m. Senator Castaneda moved to amend to have the late fines be visible on the website.

4:03 p.m. Representative Vetter seconded the motion.

4:05 p.m. Representative Schauer introduced amendment testimony #45376.

4:05 p.m. Roll Call Vote. Motion passed. 6-0-0

4:30 p.m. Madam Chair Steiner closed the meeting.

Krystal Eberle for Janae Pinks, Committee Clerk

HB 1377 050225 1546 PM Roll Call Vote

Amendment

HB 1377

Date Submitted: May 2, 2025, 3:46 p.m.

Action: Passed

Amendment LC #: Pending LC #

Motioned By: Vetter, Steve

Seconded By: Castaneda, Jose

Emergency Clause: None

Vote Results: 6 - 0 - 0

Description: Amendment, AG Opinion

Rep. Steiner, Vicky	Yea
Rep. Schauer, Austen	Yea
Rep. Vetter, Steve	Yea
Sen. Roers, Kristin	Yea
Sen. Barta, Jeff	Yea
Sen. Castaneda, Jose	Yea

HB 1377 050225 1602 PM Roll Call Vote

Amendment

HB 1377

Date Submitted: May 2, 2025, 4:02 p.m.

Action: Passed

Amendment LC #: Pending LC #

Motioned By: Schauer, Austen

Seconded By: Barta, Jeff

Emergency Clause: None

Vote Results: 6 - 0 - 0

Description: Fees

Rep. Steiner, Vicky	Yea
Rep. Schauer, Austen	Yea
Rep. Vetter, Steve	Yea
Sen. Roers, Kristin	Yea
Sen. Barta, Jeff	Yea
Sen. Castaneda, Jose	Yea

HB 1377 050225 1604 PM Roll Call Vote

Amendment

HB 1377

Date Submitted: May 2, 2025, 4:04 p.m.

Action: Passed

Amendment LC #: Pending LC #

Motioned By: Castaneda, Jose

Seconded By: Vetter, Steve

Emergency Clause: None

Vote Results: 6 - 0 - 0

Description: Fine verbiage for public (2156)

Rep. Steiner, Vicky	Yea
Rep. Schauer, Austen	Yea
Rep. Vetter, Steve	Yea
Sen. Roers, Kristin	Yea
Sen. Barta, Jeff	Yea
Sen. Castaneda, Jose	Yea

25.0330.06011
Title.08000

Prepared by the Legislative Council
staff for Representative Steiner
April 15, 2025

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO FIRST ENGROSSMENT

ENGROSSED SENATE BILL NO. 2156

Introduced by

Senator Cleary

1 A BILL for an Act to create and enact chapter 16.1-08.2 of the North Dakota Century Code,
2 relating to campaign disclosure statements; to amend and reenact sections 15.1-09-08,
3 15.1-09-19, 16.1-01-12, and 16.1-10-04.1, and subdivision f of subsection 8 of section 51-28-01
4 of the North Dakota Century Code, relating to campaign disclosure statements; to repeal
5 chapter 16.1-08.1 of the North Dakota Century Code, relating to campaign disclosure
6 statements; and to provide a penalty; to provide for application; and to provide an effective date.

7 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

8 **SECTION 1. AMENDMENT.** Section 15.1-09-08 of the North Dakota Century Code is
9 amended and reenacted as follows:

10 **15.1-09-08. School district elections - Candidate filings.**

11 An individual seeking election to the board of a school district shall prepare and sign a
12 document stating the individual's name and the position for which that individual is a candidate.
13 A candidate shall also file a statement of interests as required by section 16.1-09-02. Whether
14 or not the election is held in conjunction with a statewide election, all statements of interest
15 must be filed with the school district business manager, or mailed to and in the possession of
16 the business manager, by four p.m. of the sixty-fourth day before the election. A candidate shall
17 also file a campaign contribution statement as required by section ~~16.1-08.1-02.3~~ 16.1-08.2-03.

18 **SECTION 2. AMENDMENT.** Section 15.1-09-19 of the North Dakota Century Code is
19 amended and reenacted as follows:

1 **15.1-09-19. Duties of election officials - Other applicable statutes.**

2 Sections ~~16.1-08.1-03.3~~ ~~16.1-08.2-07~~ 16.1-08.2-08, 16.1-10-01, 16.1-10-06, 16.1-10-06.1,
3 16.1-10-07, 16.1-10-08, 16.1-13-22, 16.1-13-23, 16.1-13-30, 16.1-15-01, 16.1-15-04, and
4 16.1-16-04 apply to elections held under sections 15.1-09-09 and 15.1-09-11.

5 **SECTION 3. AMENDMENT.** Section 16.1-01-12 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **16.1-01-12. Election offenses - Penalty.**

8 1. It is unlawful for an individual, measure committee as described in section
9 ~~16.1-08.1-04~~ 16.1-08.2-01, or other organization to:

- 10 a. Fraudulently alter another individual's ballot, substitute one ballot for another, or
11 otherwise defraud a voter of that voter's vote.
- 12 b. Cause a disturbance, breach the peace, or obstruct a qualified elector or a
13 member of the election board on the way to or at a polling place.
- 14 c. Vote more than once in any election.
- 15 d. Knowingly vote in the wrong election precinct or district.
- 16 e. Disobey the lawful command of an election officer as defined in chapter 16.1-05.
- 17 f. Knowingly exclude a qualified elector from voting or knowingly allow an
18 unqualified individual to vote.
- 19 g. Knowingly vote when not qualified to do so.
- 20 h. Sign an initiative, referendum, recall, or any other election petition when not
21 qualified to do so.
- 22 i. Circulate an initiative, referendum, recall, or any other election petition not in its
23 entirety or when unqualified to do so.
- 24 j. Pay or offer to pay any individual, measure committee, or other organization, or
25 receive payment or agree to receive payment, on a basis related to the number
26 of signatures obtained for circulating an initiative, referendum, or recall petition.
- 27 This subsection does not prohibit the payment of salary and expenses for
28 circulation of the petition on a basis not related to the number of signatures
29 obtained, as long as the circulators file the intent to remunerate before submitting
30 the petitions and, in the case of initiative and referendum petitions, fully disclose
31 all contributions received pursuant to chapter 16.1-08.1 16.1-08.2 to the

1 secretary of state upon submission of the petitions. The disclosure of
2 contributions received under this section does not affect the requirement to file a
3 pre-election report by individuals or organizations soliciting or accepting
4 contributions for the purpose of aiding or opposing the circulation or passage of a
5 statewide initiative or referendum petition or measure placed upon a statewide
6 ballot by action of the legislative assembly under chapter ~~46.1-08.1~~16.1-08.2. Any
7 signature obtained in violation of this subdivision is void and may not be counted.

8 k. Willfully fail to perform any duty of an election officer after having accepted the
9 responsibility of being an election officer by taking the oath as prescribed in this
10 title.

11 l. Willfully violate any rule adopted by the secretary of state pursuant to this title.

12 m. Willfully make any false canvass of votes, or make, sign, publish, or deliver any
13 false return of an election, knowing the canvass or return to be false; or willfully
14 deface, destroy, or conceal any statement or certificate entrusted to the
15 individual's or organization's care.

16 n. Destroy ballots, ballot boxes, election lists, or other election supplies except as
17 provided by law, or negatively impact the confidentiality, integrity, or availability of
18 any system used for voting.

19 o. Sign a name other than that individual's own name to an initiative, referendum,
20 recall, or any other election petition.

21 p. Willfully submit an initiative or referendum petition that contains one or more
22 fraudulent signatures.

23 2. a. A violation of subdivisions b, e, f, or h through l of subsection 1 is a class A
24 misdemeanor.

25 b. A violation of subdivisions a, c, d, g, or m of subsection 1 is a class C felony.

26 c. A violation of subdivision n of subsection 1 is a class C felony.

27 d. A violation of subdivision o of subsection 1 is a class A misdemeanor if an
28 individual signs one or two names other than the individual's own name to a
29 petition and is a class C felony if an individual signs more than two names other
30 than the individual's own name to a petition.

- 1 e. An organization, as defined in section 12.1-03-04, that violates this section is
2 subject to the organizational fines in section 12.1-32-01.1. The court in which the
3 conviction is entered shall notify the secretary of state of the conviction and shall
4 order the secretary of state to revoke the certificate of authority of any convicted
5 organization or limited liability company. The organization may not reapply to the
6 secretary of state for authorization to do business under any name for one year
7 upon conviction of a class A misdemeanor and for five years upon conviction of a
8 class C felony under this section, except an organization operating a signature
9 gathering business, or similar enterprise, that violates subdivision p of
10 subsection 1, and is convicted of fraud, is subject to a class A misdemeanor and
11 may not reapply to the secretary of state for authorization to do business under
12 any name for five years following the entry of judgment.
- 13 f. A violation of subdivision p of subsection 1 by any member of a measure
14 committee, including an initiative or referendum sponsoring committee or an
15 agent acting on behalf of, or in conjunction with, a measure committee for the
16 purpose of collecting signatures for a petition under this chapter is subject to a
17 civil penalty of not more than three thousand dollars. The civil penalty may be
18 recovered in an action brought in the district court of Burleigh County by the
19 attorney general.
- 20 g. An individual who is a member of an organization may be convicted of a violation
21 as an accomplice under section 12.1-03-01.

- 22 3. Every act this chapter makes criminal when committed with reference to the election of
23 a candidate is equally criminal when committed with reference to the determination of
24 a question submitted to qualified electors to be decided by votes cast at an election.

25 **SECTION 4.** Chapter 16.1-08.2 of the North Dakota Century Code is created and enacted
26 as follows:

27 **16.1-08.2-01. Definitions.**

- 28 1. "Affiliate" means an organization controlling, is controlled by, or is under common
29 control with another organization. For purposes of this definition, control means the
30 possession, direct or indirect, of the power to direct or cause the direction of the
31 management and policies of an organization, whether through the ownership of voting

1 securities, by contract other than a commercial contract for goods or nonmanagement
2 services, or otherwise. Control is presumed to exist if an organization, directly or
3 indirectly, owns, controls, holds with the power to vote, or holds proxies representing
4 fifty percent or more of the voting securities of any other organization.

5 2. "Association" means any club, association, union, brotherhood, fraternity, organization,
6 or group of any kind of two or more persons, including labor unions, trade
7 associations, professional associations, or governmental associations, which is united
8 for any purpose, business, or object and which assesses any dues, membership fees,
9 or license fees in any amount, or which maintains a treasury fund in any amount. The
10 term does not include corporations, cooperative corporations, limited liability
11 companies, political committees, or political parties.

12 3. "Conduit" means a person that is not a political party, political committee, or candidate
13 and which receives a contribution of money and transfers the contribution to a
14 candidate, political party, or political committee when the contribution is designated
15 specifically for the candidate, political party, or political committee and the person has
16 no discretion as to the recipient and the amount transferred. The term includes a
17 transactional intermediary, including a credit card company or a money transfer
18 service paying or transferring money to a candidate on behalf of another person.

19 4. "Contribution" means a gift, transfer, conveyance, provision, receipt, subscription,
20 loan, advance, deposit of money, or anything of value, made for the purpose of
21 influencing the nomination for election, or election, of any person to public office or
22 aiding or opposing the circulation or passage of a statewide initiative or referendum
23 petition or measure. The term also means a contract, promise, or agreement, express
24 or implied, whether or not legally enforceable, to make a contribution for any of the
25 above purposes. The term includes funds deposited by a candidate for public office or
26 a political party or committee which are transferred or signed over to that candidate,
27 party, or committee from another candidate, party, or political committee or other
28 source including a conduit. The term "anything of value" includes any good or service
29 of more than a nominal value. The term "nominal value" means the cost, price, or
30 worth of the good or service is trivial, token, or of no appreciable value. The term
31 "contribution" does not include:

- a. A loan of money from a bank or other lending institution made in the regular course of business.
 - b. Time spent by volunteer campaign or political party workers.
 - c. Money or anything of value deposited for commercial transactions, including rents, advertising, or sponsorships made as a part of a fair market value bargained-for exchange.
 - d. Money or anything of value deposited for anything other than a political purpose.
 - e. Products or services for which the actual cost or fair market value are reimbursed by a payment of money.
 - f. An independent expenditure.
 - g. The value of advertising paid by a political party, multicandidate political committee, or caucus which is in support of a candidate.
 - h. In-kind contributions from a candidate to the candidate's campaign.
5. "Cooperative corporations", "corporations", and "limited liability companies" are as defined in this code, and for purposes of this chapter "corporations" includes nonprofit corporations. However, if a political committee, the only purpose of which is accepting contributions and making expenditures for a political purpose, incorporates for liability purposes only, the committee is not considered a corporation for the purposes of this chapter.
6. "Expenditure" means:
- a. A gift, transfer, conveyance, provision, loan, advance, payment, distribution, disbursement, outlay, or deposit of money or anything of value, except a loan of money from a bank or other lending institution made in the regular course of business, made for a political purpose or for the purpose of influencing the passage or defeat of a measure.
 - b. A contract, promise, or agreement, express or implied, whether or not legally enforceable, to make any expenditure.
 - c. The transfer of funds by a political committee to another political committee.
 - d. An independent expenditure.

1 7. "Expenditure ~~purpose~~categories" means the ~~type of expense for~~categories into which
2 expenditures for a political purpose ~~occurred~~must be grouped for reports under this
3 chapter. The expenditure categories are:

4 a. Advertising;

5 b. Campaign loan repayment;

6 c. Operations;

7 d. Political donations;

8 e. Travel;

9 f. Volunteer appreciation; and

10 g. Miscellaneous.

11 8. "Foreign national" means:

12 a. A government or country other than the United States.

13 b. A political party organized under the laws of a country other than the United
14 States.

15 c. A corporation, partnership, association, organization, or other combination of
16 persons organized under the laws of or having its principal place of business in a
17 country other than the United States.

18 d. An individual with citizenship of a country other than the United States.

19 e. An individual who is not a citizen or national of the United States and is not
20 admitted lawfully to the United States for permanent residence.

21 9. "Independent expenditure" means an expenditure made for a political purpose or for
22 the purpose of influencing the passage or defeat of a measure if the expenditure is
23 made without the express or implied consent, authorization, or cooperation of, and not
24 in concert with or at the request or suggestion of, any candidate, committee, or
25 political party.

26 10. "Patron" means a person who owns equity interest in the form of stock, shares, or
27 membership or maintains similar financial rights in a cooperative corporation.

28 11. "Person" means an individual, partnership, political committee, association,
29 corporation, cooperative corporation, limited liability company, or other organization or
30 group of persons.

- 1 12. "Personal benefit" means a benefit to the candidate or another person which is not for
2 a political purpose or related to a candidate's responsibilities as a public officeholder,
3 and any other benefit that would convert a contribution to personal income.
- 4 13. "Political committee" means any committee, club, association, or other group of
5 persons which receives contributions or makes expenditures for political purposes and
6 includes:
- 7 a. A political action committee not connected to another organization and free to
8 solicit funds from the general public, or derived from a corporation, cooperative
9 corporation, limited liability company, affiliate, subsidiary, or an association
10 soliciting or receives contributions from its employees or members or makes
11 expenditures for political purposes on behalf of its employees or members;
- 12 b. A candidate committee established to support an individual candidate seeking
13 public office which solicits or receives contributions for political purposes;
- 14 c. A political organization registered with the federal election commission, which
15 solicits or receives contributions or makes expenditures for political purposes;
- 16 d. A multicandidate political committee, including a caucus, established to support
17 multiple groups or slates of candidates seeking public office, which solicits or
18 receives contributions for political purposes; and
- 19 e. A measure committee, including an initiative or referendum sponsoring
20 committee at any stage of its organization, which solicits or receives contributions
21 or makes expenditures for the purpose of supporting or opposing an initiative or
22 referendum petition, or measure sought to be voted upon by the voters of the
23 state, including any activities undertaken for the purpose of drafting an initiative
24 or referendum petition, seeking approval of the secretary of state for the
25 circulation of a petition, or seeking approval of the submitted petitions.
- 26 14. "Political party" means any association, committee, or organization which nominates a
27 candidate for election to any office which may be filled by a vote of the electors of this
28 state or any of its political subdivisions and whose name appears on the election ballot
29 as the candidate of the association, committee, or organization.
- 30 15. "Political purpose" means any activity undertaken in support of or in opposition to the
31 election or nomination of a candidate to public office and includes using "vote for",

"oppose", or any similar support or opposition language in any advertisement whether the activity is undertaken by a candidate, a political committee, a political party, or any person. The term includes paying any expenses related to the election or nomination of a candidate. The term does not include activities undertaken in the performance of a duty of a public office or any position taken in any bona fide news story, commentary, or editorial.

16. "Public office" means every office to which an individual can be elected by vote of the people under the laws of this state.

17. "Subsidiary" means an affiliate of a corporation under the control of the corporation directly or indirectly through one or more intermediaries.

18. "Ultimate and true source" means the person that knowingly contributed over two hundred fifty dollars solely to influence a statewide election or an election for the legislative assembly.

16.1-08.2-02. General provisions.

1. A political committee, except those defined in subdivision c of subsection 13 of section 16.1-08.2-01, shall register its name, mailing address, telephone number, and nongovernment issued electronic mail address, and its agent's name, mailing address, telephone number, and nongovernment issued electronic mail address, and a designation as to whether the committee is incorporated solely for the purpose of liability protection, with the secretary of state. A candidate who does not have a candidate committee shall register the candidate's name, mailing address, telephone number, and nongovernment issued electronic mail address with the secretary of state. If the candidate has an agent, the candidate also shall register the agent's name, mailing address, telephone number, and nongovernment issued electronic mail address with the secretary of state.

2. The registration required under this section for a candidate or political committee that has not previously registered with the secretary of state must be submitted within fifteen business days of the receipt deposit date of any contribution or expenditure made.

3. A candidate or political committee required to be registered under this section must register with the secretary of state each year during which the candidate holds public

1 office or during which the political committee receives contributions, makes
2 expenditures for political purposes, or has a balance in the campaign account. An
3 individual who no longer holds public office or an individual who no longer seeks public
4 office must register with the secretary of state each year in which contributions are
5 deposited, expenditures are made for political purposes, or a balance remains in the
6 campaign account.

7 4. Any statement filed with the secretary of state under this chapter must be:

8 a. Filed electronically within the prescribed time and in the format established by the
9 secretary of state. If the secretary of state does not receive a statement, an
10 electronic duplicate of the statement must be filed promptly upon notice by the
11 secretary of state of its nonreceipt. After a statement has been filed, the secretary
12 of state may request or accept written clarification along with an amended
13 statement from a candidate, political party, or political committee filing the
14 statement when discrepancies, errors, or omissions on the statement are
15 discovered by the secretary of state, the candidate, political party, or political
16 committee filing the statement, or by any interested party reciting a lawful reason
17 for requesting clarification and an amendment be made. When requesting an
18 amended statement, the secretary of state shall establish a reasonable period of
19 time, not to exceed ten days, agreed to by the candidate, political party, or
20 political committee, for filing the amended statement with the secretary of state.
21 b. Preserved by the secretary of state for a period of ten years from the date of the
22 filing deadline. The statement must be considered a part of the public records of
23 the secretary of state's office and must be open to public inspection on the
24 internet.

25 5. In determining the amount of individual contributions from any contributor, all amounts
26 deposited from the same contributor during the reporting period must be aggregated to
27 report an overall total contribution for the purposes of the statements required by this
28 chapter. Contributions made separately by different persons from joint accounts are
29 considered separate contributions for reporting purposes.

- 1 6. In determining the amount of expenditures to any recipient, all expenditures to the
2 same recipient during the reporting period must be aggregated to report an overall
3 total expenditure for the purposes of the statements required by this chapter.
- 4 7. Contributions and expenditures which are ~~less than~~ two hundred fifty dollars ~~or less~~ in
5 the aggregate are exempt ~~from open~~ records ~~requests~~ under chapter 44-04 and
6 reported as part of aggregate totals only.
- 7 8. In reporting a contribution deposited through a conduit, a candidate, political party, or
8 political committee shall list each reportable contribution identifying the person that
9 submitted the contribution to the conduit and provide the required information
10 regarding the contribution from that person rather than identifying the conduit as the
11 contributor.
- 12 9. A political committee organizing and registering according to federal law that makes an
13 independent expenditure or makes a disbursement in excess of two hundred fifty
14 dollars to a nonfederal candidate seeking public office, a political party, or political
15 committee in this state is not required to register as a political committee according to
16 this section if the political committee reports according to section
17 ~~16.1-08.2-06~~ 16.1-08.2-07.
- 18 10. To ensure accurate reporting and avoid commingling of campaign and personal funds,
19 candidates shall use dedicated campaign accounts that are separate from any
20 personal accounts.
- 21 11. Registration by a political committee under this section does not reserve the name for
22 exclusive use nor does it constitute registration of a trade name under chapter 47-25.
- 23 12. A candidate or candidate committee for county office, city office, and school district
24 office are exempt from registering and filing with the secretary of state. Any other
25 person required to file a statement under this chapter shall file the statement with the
26 secretary of state.
- 27 a. A candidate for city office in a city with a population under five thousand and a
28 candidate committee for the candidate are exempt from this chapter. A candidate
29 for school district office in a school district with a fall enrollment of fewer than
30 one thousand students and a candidate committee for the candidate are exempt
31 from this chapter.

b. A candidate for county office and a candidate committee for a candidate for county office shall file statements under this chapter with the county auditor. A candidate for city office and a candidate committee for a candidate for city office shall file statements under this chapter with the city auditor. A candidate for school district office and a candidate committee for a candidate for school district office shall file statements under this chapter with the school business manager.

16.1-08.2-03. Pre-election, supplemental, and year-end campaign disclosure statement requirements for candidates, candidate committees, multicandidate committees, ~~political committees~~, and nonstatewide political parties.

1. Before a primary or special election, and before and following a general election, a candidate or candidate committee formed on behalf of the candidate, a multicandidate political committee, ~~a political committee~~, or a nonstatewide political party soliciting or accepting contributions shall file a campaign disclosure statement ~~including all contributions and expenditures~~ from:

a. January first through April thirtieth before a primary election;

b. May first through September thirtieth before a general election;

c. October first through December thirty-first following a general election; and

d. January first through the fortieth day before a special election.

2. A candidate whose name is not on the ballot and who is not seeking election through write-in votes, the candidate's candidate committee, and a nonstatewide political party that has not endorsed or nominated any candidate in the election is not required to file a statement under ~~this~~ subsection 1, but is required to file a statement under subsection 7.

3. The statement before a primary, general, or special election under subsection 1 may be submitted for filing beginning on the day following the end of the reporting period and must be submitted before the eighth day following the reporting period. The statement following the general election may be submitted for filing beginning on January first and must be submitted before February first. ~~The~~

4. A statement filed under subsection 1 must include the following information:

a. For each aggregated contribution deposited from a contributor which totals in excess of two hundred fifty dollars during the reporting period, the:

- 1 (1) Name and the city and state of the contributor;
2 (2) Total amount of the contribution; and
3 (3) Date the last contributed amount was deposited.

- 4 b. ~~For each expenditure during the reporting period, the:~~
5 ~~(1) Name of the recipient and location of purchase;~~
6 ~~(2) Total amount of the expenditure made to the recipient;~~
7 ~~(3) Date of the expenditure; and~~
8 ~~(4) Expenditure purpose.~~

9 ~~c. The total of all aggregated contributions and expenditures which total in excess~~
10 ~~of two hundred fifty dollars during the reporting period and the aggregated total.~~

11 ~~c. The total of all contributions and expenditures which are deposited from~~
12 ~~contributors that contributed two hundred and fifty dollars or less during the~~
13 ~~reporting period.~~

14 d. A total of all expenditures made during the reporting period, separated into
15 expenditure categories.

16 e. For a statewide candidate, a candidate committee formed on behalf of a
17 statewide candidate, and a statewide multicandidate committee, or a political
18 party, the balance of the campaign fund on the last day of the reporting period
19 and the balance of the campaign fund on the first day of the reporting period.

20 2.5. The information provided to the secretary of state under subdivisions a through d of
21 subsection 4 must be made publicly available through the format prescribed by the
22 secretary of state. The information provided to the secretary of state under
23 subdivision e of subsection 4 may not be made publicly available by the secretary of
24 state.

25 6. Beginning on the day following the end of the reporting period May first before a
26 primary election, October first before a general election, and thirty-nine days before a
27 special election through the day before the election, a person filing a statement under
28 subsection 1 must file a supplemental statement within forty-eight hours of the start of
29 the day following the deposit date of a contribution or aggregate contribution from a
30 contributor which is in excess of five hundred dollars. The statement must include the:

31 a. Name and the city and state of the contributor;

b. Total amount of the contribution deposited during the reporting period; and

c. Date the last contributed amount was deposited.

3.7. Before February first, a candidate whose name is not on the ballot and who is not seeking election through write-in votes, or ~~candidate~~the candidate's candidate committee, a multicandidate political committee, ~~a political committee~~, or a nonstatewide political party soliciting or accepting contributions not required to file a statement under subsection 1 shall file a campaign disclosure statement including all contributions deposited and expenditures from January first through December thirty-first of the previous year. The filer shall indicate on the report the corresponding reporting period, as described under subsection 1, in which each contribution was deposited and expenditure was made to determine whether the filer's aggregated totals exceed two hundred fifty dollars for the reporting period. The statement may be submitted for filing beginning on January first. The statement filed according to this section must include the following information:

~~a. For a candidate, a candidate committee formed on behalf of a candidate, a multicandidate committee, or political party, the balance of the campaign fund on January first and on December thirty-first.~~

~~b.~~ For each aggregated contribution deposited from a contributor which totals in excess of two hundred fifty dollars deposited during the reporting period, the:

(1) Name and the city and state of the contributor;

(2) Total amount of the contribution; and

(3) Date the last contributed amount was deposited.

~~c. For each expenditure during the reporting period, the:~~

~~(1) Name of the recipient and location of purchase;~~

~~(2) Total amount of the expenditure made to the recipient;~~

~~(3) Date of the expenditure; and~~

~~(4) Expenditure purpose.~~

~~d.b.~~ The total of all aggregated contributions and expenditures from contributors which total in excess of two hundred fifty dollars during the reporting period.

1 ~~e.c.~~ The aggregated total of contributions ~~and expenditures which are~~ deposited from
2 contributors that contributed two hundred and fifty dollars or less during the
3 reporting period.

4 d. A total of all expenditures made during the reporting period, separated into
5 expenditure categories.

6 e. For a statewide candidate, a candidate committee formed on behalf of a
7 statewide candidate, and a statewide multicandidate committee, the balance of
8 the campaign fund on the last day of the reporting period.

9 ~~4.8.~~ The information provided to the secretary of state under subdivisions a through d of
10 subsection 7 must be made publicly available through a format prescribed by the
11 secretary of state. The information provided to the secretary of state under
12 subdivision e of subsection 7 may not be made publicly available by the secretary of
13 state.

14 9. Expenditures reported within a group of aggregated totals under this section are
15 exempt from open records requests under chapter 44-04.

16 10. A person required to file a statement under this section shall report each aggregated
17 contribution from a contributor which totals five thousand dollars or more during the
18 reporting period. For these contributions from individuals, the statement must include
19 the contributor's occupation, employer, and the employer's principal place of business.

20 **16.1-08.2-04. Pre-election, supplemental, and year-end campaign disclosure**
21 **statement requirements for statewide political parties and certain political committees.**

22 1. Before a primary or special election, and before and following a general election, a
23 statewide political party or a political committee not required to file under section
24 16.1-08.2-03 which is soliciting or accepting contributions shall file a campaign
25 disclosure statement including all contributions and expenditures from:

26 a. January first through April thirtieth before a primary election;

27 b. May first through September thirtieth before a general election;

28 c. October first through December thirty-first following a general election; and

29 d. January first through the fortieth day before a special election.

2. A political party that has not endorsed or nominated a candidate in the election or a political committee not soliciting or accepting contributions is not required to file a statement under subsection 1, but is required to file a statement under subsection 5.

3. The statement before a primary, general, or special election may be submitted for filing beginning on the day following the end of the reporting period and must be submitted before the eighth day following the reporting period. The statement following the general election may be submitted for filing beginning on January first and must be submitted before February first. The statement must include:

a. The total of all contributions and expenditures which total in excess of two hundred fifty dollars during the reporting period and the aggregated total of contributions and expenditures which are two hundred and fifty dollars or less during the reporting period.

b. The balance of the campaign fund on the last day of the reporting period and the balance of the campaign fund on the first day of the reporting period.

c. For each contribution deposited during the reporting period, the:

(1) Name and the city and state of the contributor;

(2) Total amount of the contribution; and

(3) Date the last contributed amount was deposited.

d. For each expenditure during the reporting period, the:

(1) Name of the recipient and location of purchase;

(2) Total amount of the expenditure made to the recipient;

(3) Date of the expenditure; and

(4) Expenditure category.

4. Beginning on May first before a primary election, October first before a general election, and thirty-nine days before a special election through the day before the election, a person filing a statement under subsection 1 shall file a supplemental statement within forty-eight hours of the start of the day following the deposit date of a contribution or aggregate contribution from a contributor which is in excess of five hundred dollars. The statement must include the:

a. Name and the city and state of the contributor;

b. Total amount of the contribution deposited during the reporting period; and

1 c. Date the last contributed amount was deposited.

2 5. Before February first, a statewide political party or a political committee that is not
3 required to file a statement under subsection 1 shall file a campaign disclosure
4 statement including all contributions deposited and expenditures from January first
5 through December thirty-first of the previous year. The filer shall indicate on the report
6 the corresponding reporting period, as described under subsection 1, for which each
7 contribution was deposited and expenditure was made to determine whether the filer's
8 aggregated totals exceed two hundred fifty dollars for the reporting period. The
9 statement must include:

10 a. The total of all contributions and expenditures which total in excess of
11 two hundred fifty dollars during the reporting period and the aggregated total of
12 contributions and expenditures which are two hundred and fifty dollars or less
13 during the reporting period.

14 b. The total of all aggregated expenditures from campaign funds reported in
15 expenditure categories.

16 c. The balance of the campaign fund on the last day of the reporting period and the
17 balance of the campaign fund on the first day of the reporting period.

18 d. For each contribution deposited during the reporting period, the:

19 (1) Name and the city and state of the contributor;

20 (2) Total amount of the contribution; and

21 (3) Date the last contributed amount was deposited.

22 e. For each expenditure during the reporting period, the:

23 (1) Name of the recipient and location of purchase;

24 (2) Total amount of the expenditure made to the recipient;

25 (3) Date of the expenditure; and

26 (4) Expenditure category.

27 6. A person required to file a statement under this section shall report each aggregated
28 contribution from a contributor which totals five thousand dollars or more during the
29 reporting period. For these contributions from individuals, the statement must include
30 the contributor's occupation, employer, and the employer's principal place of business.

7. A person filing a statement under this section shall file the statement with the secretary of state.

~~16.1-08.2-04~~16.1-08.2-05. Special requirements for state political parties.

1. State political parties shall establish separate and segregated accounts for the management of state nominating conventions. All revenue obtained and expenditures made for the planning and running of a state convention must be accounted for in these accounts.
2. A postconvention statement must be filed with the secretary of state sixty days after the close of the state nominating convention. The reporting period for the postconvention statement begins on the first day of January of the reporting year and ends thirty days after the close of the state nominating convention.
3. A year-end statement covering the entire calendar year must be filed with the secretary of state before February first of the following year even if no convention revenue was deposited or expenditures made within the calendar year.
4. The statement filed under this section must show:
 - a. The balance of the filer's convention accounts at the start and close of the reporting period.
 - b. The total of all revenue deposited and expenditures made of two hundred fifty dollars or less.
 - c. The total of all revenue deposited and expenditures made in excess of two hundred fifty dollars.
 - d. For revenues received and deposited, the:
 - (1) Name of each person providing the revenue;
 - (2) City and state of each person providing revenue;
 - (3) Date of the most recent ~~receipt~~deposit of revenue from each person providing revenue; and
 - (4) The purpose or purposes for which the revenue was deposited from each person.
 - e. For each expenditure made, the:
 - (1) Name of each person to which the expenditure was made;
 - (2) City and state of each person to which the expenditure was made;

(3) Date of the most recent expenditure made to each person or entity; and

(4) Purpose or purposes for which the aggregated expenditure total was
disbursed to each person or entity.

f. The total of all contributions and expenditures which total in excess of
two hundred fifty dollars during the reporting period.

g. The aggregated total of contributions and expenditures which are two hundred
and fifty dollars or less during the reporting period.

h. For each aggregated revenue from an individual which totals five thousand
dollars or more during the reporting period, the occupation, employer, and
principal place of business of the individual.

5. If a net gain from the convention is transferred to the accounts established for the
support of the nomination or election of candidates, the total transferred must be
reported as a contribution in the statements required by section 16.1-08.2-03.

6. If a net loss from the convention is covered by a transfer from the accounts
established for the support of the nomination or election of candidates, the total
transferred must be reported as an expenditure in the statements required by section
16.1-08.2-03.

7. A state political party or nonprofit entity affiliated with or under the control of a state
political party, which receives a donation for purchasing, maintaining, or renovating a
building, shall file a statement with the secretary of state before February first of each
calendar year. Any income or financial gain generated from a building purchased,
maintained, or renovated from donations must be deposited in the building fund and
must be disclosed when the political party or nonprofit entity files the statement
required under this section. Money in the fund may be used only by the state political
party or nonprofit entity affiliated with or under the control of a state political party for
purchasing, maintaining, or renovating a building, including the purchase of fixtures for
the building. The statement may be submitted for filing beginning on January first and
must include the:

a. Balance of the building fund on January first;

b. Name and the city and state of each donor;

c. Amount of each donation;

- 1 d. Date each donation was deposited;
- 2 e. Name and the city and state of each recipient of an expenditure;
- 3 f. Amount of each expenditure;
- 4 g. Date each expenditure was made; and
- 5 h. Balance of the fund on December thirty-first.

6 ~~16.1-08.2-05~~16.1-08.2-06. **Special requirements for statements required of persons**
7 **engaged in activities regarding ballot measures.**

- 8 1. For each reportable contribution and expenditure under section
9 ~~16.1-08.2-03~~16.1-08.2-04, the threshold for reporting is one hundred dollars for any
10 person engaged in activities described in subdivision e of subsection 13 of section
11 16.1-08.2-01.
- 12 2. For contributions deposited from any contributor, a person engaged in activities
13 described in subdivision e of subsection 13 of section 16.1-08.2-01 shall include the
14 following information regarding each subcontributor that has stated a contribution is for
15 the express purpose of furthering the passage or defeat of a ballot measure in the
16 statements required under section ~~16.1-08.2-03~~16.1-08.2-04:
 - 17 a. A designation as to whether any person contributed in excess of one hundred
18 dollars of the total contribution;
 - 19 b. The name and the city and state of each subcontributor contributing in excess of
20 one hundred dollars of the total contribution;
 - 21 c. The contribution amounts of each disclosed subcontributor; and
 - 22 d. The occupation, employer, and address for the employer's principal place of
23 business of each disclosed subcontributor.
- 24 3. A measure committee which is seeking approval for an initiative or referendum shall
25 file a disclosure statement by the date the secretary of state approves the petition for
26 circulation. Thereafter, the measure committee is required to file disclosure statements
27 as directed by section ~~16.1-08.2-03~~16.1-08.2-04.
- 28 4. A measure committee that is seeking approval for an initiative or referendum shall file
29 a statement regarding its intent to compensate circulators before paying for petitions to
30 be circulated.

16.1-08.2-0616.1-08.2-07. Special requirements for political committees organized and registered under federal law.

1. A political committee organizing and registering according to federal law which makes an independent expenditure or makes a disbursement in excess of two hundred fifty dollars to a nonfederal candidate seeking public office or to a political party or political committee in this state shall file a copy of that portion of the committee's federal report detailing the independent expenditure or the disbursement made.
2. The political committee shall file a copy of the committee's federal report, and supplementary information as necessary under this section, with the secretary of state at the time of filing the report with the applicable federal agency. The report and supplementary information must include the:
 - a. Name, city and state, and treasurer of the political committee;
 - b. Recipient's name and mailing address;
 - c. Date and amount of the independent expenditure or disbursement; and
 - d. Ultimate and true source of funds listed by contributor and subcontributor for any amount over two hundred fifty dollars collected or used to make the independent expenditure or disbursement including the:
 - (1) Name, city and state, and treasurer of the political committee;
 - (2) Total amount of the contribution; and
 - (3) Date the last contribution was deposited.

16.1-08.2-0716.1-08.2-08. Campaign contributions by corporations, cooperative corporations, limited liability companies, affiliates, subsidiaries, and associations - Penalty.

1. A corporation, cooperative corporation, limited liability company, affiliate, subsidiary, or association may establish, administer, and solicit contributions to a separate and segregated fund to be used for political purposes by the corporation, cooperative corporation, limited liability company, affiliate, subsidiary, or association. It is unlawful for:
 - a. The person controlling the fund to make contributions or expenditures using money or anything of value secured by physical force, job discrimination, financial reprisals, or the threat of those actions; or use money from dues, fees,

1 treasury funds, or other money required as a condition of membership in an
2 association, or as a condition of employment; or use money obtained in any
3 commercial transaction. Moneys from fees, dues, treasury funds, or money
4 obtained in a commercial transaction may, however, be used to pay costs of
5 administration of the fund.

6 b. Any person soliciting an employee, stockholder, patron, board member, or
7 member for a contribution to the fund to fail to inform the employee or member of
8 the political purposes of the fund at the time of the solicitation or of the general
9 political philosophy intended to be advanced through committee activities.

10 c. Any person soliciting an employee or member for a contribution to the fund to fail
11 to inform the employee or member at the time of the solicitation of the right to
12 refuse to contribute without any reprisal.

13 d. Any contribution to be accepted without keeping an accurate record of the
14 contributor and amount contributed and of amounts expended for political
15 purposes.

16 e. Any contribution to be accepted from any person not an employee, a stockholder,
17 a patron, a board member or a member of the corporation, cooperative
18 corporation, limited liability company, affiliate, subsidiary, or association
19 maintaining the political action committee, except a corporation may accept a
20 contribution from an employee, a stockholder, a patron, a board member, or a
21 member of an affiliate or a subsidiary of the corporation.

22 f. Any expenditure made for political purposes to be reported under this section
23 before control of the expenditure has been released by the political action
24 committee except if there is a contract, a promise, or an agreement, expressed or
25 implied, to make the expenditure.

26 2. A person may not make a payment of that person's money or of another person's
27 money to any other person for a political purpose in any name other than that of the
28 person supplying the money and a person may not knowingly receive the payment nor
29 enter nor cause the payment to be entered in that person's account or record in any
30 name other than that of the person by which it actually was furnished.

- 1 3. If an officer, employee, agent, attorney, or other representative of a corporation,
2 cooperative corporation, limited liability company, affiliate, subsidiary, or association
3 makes any contribution prohibited by this section out of corporate, cooperative
4 corporation, limited liability company, affiliate, subsidiary, or association funds or
5 otherwise violates this section, it is prima facie evidence of a violation by the
6 corporation, cooperative corporation, limited liability company, affiliate, subsidiary, or
7 association.
- 8 4. Corporations, cooperative corporations, limited liability companies, affiliates,
9 subsidiaries, and associations may make expenditures and contributions for promoting
10 any general political philosophy or belief deemed in the best interest of the employees,
11 stockholders, patrons, or members of the corporation, cooperative corporation, limited
12 liability company, affiliate, subsidiary, or association other than a "political purpose" as
13 defined by this chapter. A corporation, cooperative corporation, limited liability
14 company, affiliate, subsidiary, or association may not make a contribution for a political
15 purpose.
- 16 5. A corporation, cooperative corporation, limited liability company, affiliate, subsidiary, or
17 association may make a donation of property or money to a state political party or
18 nonprofit entity affiliated with or under the control of a state political party for deposit in
19 a separate and segregated building fund.
- 20 6. A corporation, cooperative corporation, limited liability company, affiliate, subsidiary, or
21 association may make an expenditure to a measure committee for the purpose of
22 promoting the passage or defeat of an initiated or referred measure or petition or make
23 an expenditure to any other person making an independent expenditure. A
24 corporation, cooperative corporation, limited liability company, affiliate, subsidiary, or
25 association may make an independent expenditure for a political purpose, including
26 political advertising in support of or opposition to a candidate, political committee, or a
27 political party, or for the purpose of promoting passage or defeat of initiated or referred
28 measures or petitions. The corporation, cooperative corporation, limited liability
29 company, affiliate, subsidiary, or association shall file a statement disclosing any
30 expenditure made under this subsection with the secretary of state within forty-eight
31 hours after making the expenditure. The statement must include:

- 1 a. The full name of the corporation, cooperative corporation, limited liability
- 2 company, affiliate, subsidiary, or association;
- 3 b. The complete address of the corporation, cooperative corporation, limited liability
- 4 company, affiliate, subsidiary, or association;
- 5 c. The name of the recipient of the expenditure;
- 6 d. If the expenditure is related to a measure or petition, the title of the measure or
- 7 petition and whether the expenditure is made in support of or opposition to the
- 8 measure or petition;
- 9 e. If the expenditure is related to a measure, the election date on which the
- 10 measure either will appear or did appear on the ballot;
- 11 f. The amount of the expenditure;
- 12 g. The cumulative total amount of expenditures since the beginning of the calendar
- 13 year which are required to be reported under this subsection;
- 14 h. The telephone number and the printed name and signature of the individual
- 15 completing the statement, attesting to the statement being true, complete, and
- 16 correct; and
- 17 i. The date on which the statement was signed.
- 18 7. A violation of this section may be prosecuted in the county where the contribution is
- 19 made or in any county in which it has been paid or distributed.
- 20 8. It is a class A misdemeanor for an officer, director, stockholder, manager, governor,
- 21 member, attorney, agent, or representative of any corporation, cooperative
- 22 corporation, limited liability company, affiliate, subsidiary, or association to violate this
- 23 section or to counsel or consent to any violation. Any person that solicits or knowingly
- 24 receives any contribution in violation of this section is guilty of a class A misdemeanor.
- 25 9. Any officer, director, stockholder, manager, governor, member, attorney, agent, or
- 26 representative who makes, counsels, or consents to the making of a contribution in
- 27 violation of this section is liable to the company, corporation, limited liability company,
- 28 affiliate, subsidiary, or association for the amount so contributed.

~~16.1-08.2-08~~**16.1-08.2-09. Special requirements for conduits.**

A conduit transferring any contribution to a candidate, political party, or political committee shall provide the recipient of the contribution a detailed statement listing the name and address

1 of each individual contributor, the amount of each contribution, and the date each contribution
2 was deposited. The conduit also shall include on the statement the occupation, employer, and
3 principal place of business of each contributor, or the political committee if not already
4 registered according to state or federal law, which contributed five thousand dollars or more in
5 the aggregate during a reporting period applicable to the candidate, political party, or political
6 committee. The conduit shall provide the statement to the candidate, political party, or political
7 committee in a manner to allow the candidate, political party, or political committee to file any
8 statement required to be filed under this chapter.

9 **~~16.1-08.2-09~~16.1-08.2-10. General prohibitions.**

- 10 1. A foreign national may not make or offer to make, directly or indirectly, a contribution
11 or expenditure in connection with any election.
- 12 2. A candidate, candidate committee, ~~political committee~~, political party, or any other
13 person may not solicit, accept, or receive, directly or indirectly, a contribution from a
14 foreign national.
- 15 3. A candidate may not use any contribution deposited by the candidate, the candidate's
16 candidate committee, or a multicandidate political committee to:
- 17 a. Give a personal benefit to the candidate or another person;
18 b. Make a loan to another person;
19 c. Knowingly pay more than the fair market value for goods or services purchased
20 for the campaign; or
21 d. Pay a criminal fine or civil penalty.
- 22 4. If the secretary of state has substantial reason to believe any person knowingly
23 violated this section, the secretary shall arrange for an audit as authorized by section
24 **~~16.1-08.2-10~~16.1-08.2-11.**
- 25 5. A person may not be excused from attending and testifying or producing any books,
26 papers, or other documents before any court upon any investigation, proceeding, or
27 trial for a violation of any of the provisions of this chapter, upon the grounds that the
28 testimony or evidence, documentary or otherwise, required of the person may tend to
29 incriminate or degrade the person. A person may not be prosecuted or subjected to
30 any penalty or forfeiture for or on account of any transaction, matter, or thing
31 concerning which the person may testify or produce evidence, documentary or

otherwise. Any testimony given or produced may not be used against the person in any criminal investigation or proceeding.

~~16.1-08.2-10~~**16.1-08.2-11. Audit by secretary of state.**

1. If a substantial irregularity is evident or reasonably alleged, the secretary of state may arrange an audit of any statement filed pursuant to this chapter, to be performed by a certified public accountant of the filer's choice, subject to approval by the secretary of state. If an audit of a statement arranged by the secretary of state under this subsection reveals a violation of this chapter, the candidate, political party, political committee, or other person filing the statement shall pay a fine to the secretary of state equal to two hundred percent of the aggregate of contributions and expenditures found to be in violation or an amount sufficient to pay the cost of the audit, whichever is greater. If an audit of a statement arranged by the secretary of state under this subsection does not reveal a violation of this chapter, the cost of the audit must be paid for by the secretary of state.
2. If a substantial irregularity is reasonably alleged, the secretary of state may arrange an audit of any statement filed pursuant to this chapter, performed by a certified public accountant of the filer's choice, subject to approval by the secretary of state, upon written request by any interested party made to the secretary of state within thirty days following receipt of a statement by the secretary of state. The request must be made in writing, recite a substantial irregularity and a lawful reason for requesting an audit, and be accompanied by a bond in an amount established by the secretary of state sufficient to pay the cost of the audit. If an audit of a statement arranged by the secretary of state under this subsection reveals a violation of this chapter, the candidate, political party, or political committee filing the statement shall pay a fine to the secretary of state equal to two hundred percent of the aggregate of contributions and expenditures found to be in violation or an amount sufficient to pay the cost of the audit, whichever is greater, and the bond must be returned to the person submitting it. If an audit of a statement arranged by the secretary of state under this subsection does not reveal a violation of this chapter, the cost of the audit must be satisfied from the bond filed with the secretary of state.

3. An audit may not be made or requested of a statement for the sole reason that it was not timely filed with the secretary of state. An audit made or arranged according to this section must audit only those items required to be included in any statement, registration, or report filed with the secretary of state according to this chapter. The secretary of state may collect any payment obligation arising out of this section by civil action or by assignment to a collection agency, with any costs of collection to be added to the amount owed and to be paid by the delinquent filer. Any remaining moneys collected by the secretary of state after an audit is paid for under this section must be deposited in the state's general fund. This section does not apply to statements filed by candidates or candidate committees for candidates for county, city, or school district offices.

16.1-08.2-1116.1-08.2-12. Filing officer to charge and collect filing fees.

1. If a statement or report required to be filed according to this chapter is not filed within the prescribed time, the filing officer to whom the report was to be filed is authorized to charge and collect a late fee as follows:

- a. Within six days after the prescribed time, ~~one hundred~~twenty-five dollars;
- b. Within ~~thirteen~~eleven days after the prescribed time, ~~two hundred fifty~~fifty dollars;
- and
- c. Thereafter, five hundred dollars.

2. ~~Any amendment filed by the candidate, candidate committee, multicandidate committee, political committee, or political party, or at the request of the filing officer, A~~ filing officer may require an amendment to be filed for any statement or report that is incorrect or incomplete. The amendment must be filed with the filing officer within ten business days after the amendment has been requested in writing. If an amendment is not filed within the prescribed time the filing officer ~~to whom the report was to be filed~~ is authorized to charge and collect a late fee as follows:

- a. Within six days after the ~~filing deadline, one hundred~~date the amendment was due, fifty dollars;
- b. Within eleven days after the ~~filing deadline, two hundred fifty~~date the amendment was due, one hundred dollars; and
- c. Thereafter, five hundred dollars.

3. Any fines paid under this section must be reported on the statement filed by the candidate, candidate committee, multicandidate committee, political committee, or political party. Any late fees levied by the secretary of state under this section and the identity of the person subject to a late fee must be made publicly available through the format prescribed by the secretary of state.

4. The filing officer may collect any payment obligation arising out of this section by civil action or by assignment to a collection agency, with any costs of collection to be added to the amount owed and to be paid by the delinquent filer.

~~16.1-08.2-12~~ **16.1-08.2-13. Secretary of state to provide instruction and adjust thresholds for inflation.**

1. The secretary of state shall provide instructions and conduct training for the purpose of promoting uniform application of campaign finance and disclosure requirements and the uniform filing of statements, registrations, or reports according to this chapter.

2. The secretary of state shall adjust for inflation the reporting thresholds in this chapter by one hundred dollars once every ten years from the last calendar year of adjustment and inform persons submitting reports under this chapter of the adjustments. The secretary of state shall make the adjustments beginning January first of each adjustment year beginning January 1, 2026.

~~16.1-08.2-13~~ **16.1-08.2-14. Penalty.**

Except as otherwise provided, any person who willfully violates any provision of this chapter is guilty of a class A misdemeanor.

SECTION 5. AMENDMENT. Section 16.1-10-04.1 of the North Dakota Century Code is amended and reenacted as follows:

16.1-10-04.1. Certain political advertisements to disclose name of sponsor - Name disclosure requirements.

Every political advertisement by newspaper, pamphlet or folder, display card, sign, poster, or billboard, website, or by any other similar public means, on behalf of or in opposition to any candidate for public office, designed to assist, injure, or defeat the candidate by reflecting upon the candidate's personal character or political action, or by a measure committee as described in section ~~16.1-08.1-04~~ **16.1-08.2-01**, or a corporation making an independent expenditure either for or against a measure, must disclose on the advertisement the name of the person, as

defined in section ~~16.1-08.1-01~~16.1-08.2-01, or political party paying for the advertisement. If the name of a political party, association, or partnership is used, the disclaimer must also include the name of the chairman or other responsible individual from the political party, association, or partnership. The name of the person paying for any radio or television broadcast containing any advertising announcement for or against any candidate for public office must be announced at the close of the broadcast. If the name of a political party, association, or partnership is used, the disclaimer must also include the name of the chairman or other responsible individual from the political party, association, or partnership. In every political advertisement in which the name of the person paying for the advertisement is disclosed, the first and last name of any named individual must be disclosed. An advertisement paid for by an individual candidate or group of candidates must disclose that the advertisement was paid for by the individual candidate or group of candidates. The first and last name or names of the candidates paying for the advertisement are not required to be disclosed. This section does not apply to campaign buttons.

SECTION 6. AMENDMENT. Subdivision f of subsection 8 of section 51-28-01 of the North Dakota Century Code is amended and reenacted as follows:

- f. By or on behalf of a political party, candidate, or other group with a political purpose, as defined in section ~~16.1-08.1-01~~16.1-08.2-01, unless the communication is a text message.

SECTION 7. REPEAL. Chapter 16.1-08.1 of the North Dakota Century Code is repealed.

SECTION 8. APPLICATION. A person required to file a campaign disclosure statement under subsection 3 of section 16.1-08.1-02.1, section 16.1-08.1-02.2, subsection 3 of section 16.1-08.1-02.3, and subsection 3 of section 16.1-08.1-02.4, disclosing contributions received and expenditures made from January first through December thirty-first of 2025 shall file the statement pursuant to the statutory requirements under chapter 16.1-08.1 as it existed prior to its repeal.

SECTION 9. EFFECTIVE DATE. This Act becomes effective on January 1, 2026.

2025 HOUSE STANDING COMMITTEE MINUTES

Finance and Taxation Committee Room JW327E, State Capitol

HB 1377
5/2/2025
Conference Committee

Relating to campaign disclosure statements; to amend and reenact sections 15.1-09-08, 15.1-09-19, and 16.1-01-12, subdivision b of subsection 2 of section 16.1-10-02, section 16.1-10-04.1, subdivision f of subsection 8 of section 51-28-01, subsection 11 of section 54-66-01, and section 54-66-02 of the North Dakota Century Code, relating to campaign disclosure statements, authorized use of state property for political purposes, and inflationary adjustments for campaign finance reporting thresholds; to repeal chapter 16.1-08.1 of the North Dakota Century Code, relating to campaign disclosure statements; to provide a penalty; to provide for application; and to provide an effective date.

6:41 p.m. Madame Chair Steiner called the meeting to order.

Members Present: Madame Chair Steiner, Representatives Vetter, Schauer Senators Roers, Barta, Castaneda

Discussion Topics:

- Display of expenditures

6:41 p.m. Representative Vetter verbally discussed amendments relating to how the expenditures are displayed.

6:48 p.m. Representative Schauer moved amendments relating to the display of expenditures.

6:48 p.m. Representative Vetter seconded the motion.

7:15 p.m. Representative Vetter withdrew the motion.

7:15 p.m. Representative Schauer withdrew the motion.

7:15 p.m. Madame Chair Steiner recessed the meeting.

7:20 p.m. Called the meeting to order.

7:21 p.m. Senator Castaneda discussed the Senate's opinion.

7:32 p.m. Chairman Steiner adjourned the meeting.

Jackson Toman, Committee Clerk, for Janae Pinks, Committee Clerk

2025 HOUSE STANDING COMMITTEE MINUTES

Finance and Taxation Committee Room JW327E, State Capitol

HB 1377
5/2/2025
Conference Committee

Relating to campaign disclosure statements; to amend and reenact sections 15.1-09-08, 15.1-09-19, and 16.1-01-12, subdivision b of subsection 2 of section 16.1-10-02, section 16.1-10-04.1, subdivision f of subsection 8 of section 51-28-01, subsection 11 of section 54-66-01, and section 54-66-02 of the North Dakota Century Code, relating to campaign disclosure statements, authorized use of state property for political purposes, and inflationary adjustments for campaign finance reporting thresholds; to repeal chapter 16.1-08.1 of the North Dakota Century Code, relating to campaign disclosure statements; to provide a penalty; to provide for application; and to provide an effective date.

8:05 p.m. Madame Chair Steiner called the meeting to order.

Members Present: Madame Chair Steiner, Representatives Vetter, Schauer Senators Roers, Barta, Castaneda

Discussion Topics:

- Committee action

8:05 p.m. Representative Vetter moved amendments relating to ending fund balances, expenditures, and technical corrections to the contribution calculations In Place Of the Senate Amendment.

8:06 p.m. Representative Schauer seconded the motion.

8:10 p.m. Motion failed 4-2-0.

8:11 p.m. Chairman Steiner adjourned the meeting.

Jackson Toman, Committee Clerk, for Janae Pinks, Committee Clerk

HB 1377 050225 2012 PM Roll Call Vote

Amendment

HB 1377

Date Submitted: May 2, 2025, 8:12 p.m.

Action: Failed

Amendment LC #: Pending LC #

Motioned By: Vetter, Steve

Seconded By: Schauer, Austen

Emergency Clause: None

Vote Results: 4 - 2 - 0

Description: ending fund balances, expenditures, and technical corrections relating to contribution calculations

Rep. Steiner, Vicky	Yea
Rep. Schauer, Austen	Yea
Rep. Vetter, Steve	Yea
Sen. Roers, Kristin	Nay
Sen. Barta, Jeff	Nay
Sen. Castaneda, Jose	Yea

2025 HOUSE STANDING COMMITTEE MINUTES

Finance and Taxation Committee Room JW327E, State Capitol

HB 1377
5/2/2025
Conference Committee

Relating to campaign disclosure statements; to amend and reenact sections 15.1-09-08, 15.1-09-19, and 16.1-01-12, subdivision b of subsection 2 of section 16.1-10-02, section 16.1-10-04.1, subdivision f of subsection 8 of section 51-28-01, subsection 11 of section 54-66-01, and section 54-66-02 of the North Dakota Century Code, relating to campaign disclosure statements, authorized use of state property for political purposes, and inflationary adjustments for campaign finance reporting thresholds; to repeal chapter 16.1-08.1 of the North Dakota Century Code, relating to campaign disclosure statements; to provide a penalty; to provide for application; and to provide an effective date.

11:09 p.m. Madame Chair Steiner called the meeting to order.

Members Present: Chairman Steiner, Representatives Vetter, Schauer; Senators Roers, Barta, Castaneda

Discussion Topics:

- Committee action

11:09 p.m. Senator Roers verbally proposed amendments relating to a delay for the increase of the threshold and language relating to inflation, categorical itemization, Attorney General opinions, candidate committees, governor's residence, and fine disclosures.

11:17 p.m. Senator Castaneda discussed itemization and standardization of reporting.

11:18 p.m. Representative Schauer moved to adopt the amendments proposed by Senator Roers.

11:18 p.m. Senator Roers seconded the motion.

11:19 p.m. Motion passed 6-0-0.

11:20 p.m. Senator Castaneda moved an amendment relating to beginning and ending fund balance.

11:20 p.m. Senator Barta seconded the motion.

11:25 p.m. Motion failed 4-2-0.

11:25 p.m. Senator Roers moved amendments passed by the committee In Place Of the Senate Amendment.

11:26 p.m. Representative Vetter seconded the motion.

11:29 p.m. Motion passed 5-1-0.

Representative Steiner and Senator Roers will carry the bill.

11:30 p.m. Madame Chair Steiner adjourned the meeting.

Jackson Toman, Committee Clerk, for Janae Pinks, Committee Clerk

May 3, 2025

Sixty-ninth
Legislative Assembly
of North Dakota

**PROPOSED AMENDMENTS TO
FIRST ENGROSSMENT**

ENGROSSED HOUSE BILL NO. 1377

Introduced by

Representatives D. Ruby, Henderson, Kasper, Kempenich, Koppelman, Wolff

Senators Boehm, Hogue, Myrdal, Wobbema

In place of amendment (25.0517.03002) adopted by the Senate, Engrossed House Bill No. 1377 is amended by amendment (25.0517.03008) as follows:

1 A BILL for an Act to create and enact chapter 16.1-08.2 of the North Dakota Century Code,
2 relating to campaign disclosure statements; to amend and reenact subsection 17 of section
3 16.1-08.1-01, subsection 4 of section 16.1-08.1-02.1, sections 16.1-08.1-02.3 and
4 16.1-08.1-02.4, subsection 3 of section 16.1-08.1-03.2, sections 16.1-08.1-03.7 and
5 16.1-08.1-06.2, 15.1-09-08, 15.1-09-19, and 16.1-01-12, subdivision b of subsection 2 of section
6 16.1-10-02, section 16.1-10-04.1, subdivision f of subsection 8 of section 51-28-01,
7 subsection 11 of section 54-66-01, and section 54-66-02 of the North Dakota Century Code,
8 relating to campaign disclosure statements, authorized use of state property for political
9 purposes, and inflationary adjustments for campaign finance reporting thresholds; to repeal
10 chapter 16.1-08.1 of the North Dakota Century Code, relating to campaign disclosure
11 statements; to provide a penalty; to provide for application; and to provide an effective date.

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

13 ~~SECTION 1. AMENDMENT. Subsection 17 of section 16.1-08.1-01 of the North Dakota~~
14 ~~Century Code is amended and reenacted as follows:~~

15 ~~17. "Ultimate and true source" means the person that knowingly contributed over two~~
16 ~~hundred fifty dollars solely to influence a statewide election or an election for the~~
17 ~~legislative assembly.~~

18 ~~SECTION 2. AMENDMENT. Subsection 4 of section 16.1-08.1-02.1 of the North Dakota~~
19 ~~Century Code is amended and reenacted as follows:~~

20 ~~4. The statement filed according to this section must show the following:~~

- 1 ~~_____ a. The balance of the filer's convention accounts at the start and close of the~~
- 2 ~~reporting period;~~
- 3 ~~_____ b. The total of all revenue received and expenditures made of two hundred fifty~~
- 4 ~~dollars, or less;~~
- 5 ~~_____ c. The total of all revenue received and expenditures made in excess of two~~
- 6 ~~hundred fifty dollars;~~
- 7 ~~_____ d. For each aggregated revenue received from a person in excess of two hundred~~
- 8 ~~fifty dollars:~~
- 9 ~~_____ (1) The name of each person;~~
- 10 ~~_____ (2) The mailing address of each person;~~
- 11 ~~_____ (3) The date of the most recent receipt of revenue from each person; and~~
- 12 ~~_____ (4) The purpose or purposes for which the aggregated revenue total was~~
- 13 ~~received from each person;~~
- 14 ~~_____ e. For each aggregated expenditure made to a person in excess of two hundred fifty~~
- 15 ~~dollars:~~
- 16 ~~_____ (1) The name of each person or entity;~~
- 17 ~~_____ (2) The mailing address of each person or entity;~~
- 18 ~~_____ (3) The date of the most recent expense made to each person or entity; and~~
- 19 ~~_____ (4) The purpose or purposes for which the aggregated expenditure total was~~
- 20 ~~disbursed to each person or entity; and~~
- 21 ~~_____ f. For each aggregated revenue from an individual which totals five thousand~~
- 22 ~~dollars or more during the reporting period, the occupation, employer, and~~
- 23 ~~principal place of business of the individual must be disclosed.~~
- 24 ~~_____ **SECTION 3. AMENDMENT.** Section 16.1-08.1-02.3 of the North Dakota Century Code is~~
- 25 ~~amended and reenacted as follows:~~
- 26 ~~_____ **16.1-08.1-02.3. Pre-election, supplemental, and year-end campaign disclosure**~~
- 27 ~~**statement requirements for candidates, candidate committees, multicandidate**~~
- 28 ~~**committees, and nonstatewide political parties.**~~
- 29 ~~_____ 1. Prior to the thirty first day before a primary, general, or special election, a candidate or~~
- 30 ~~candidate committee formed on behalf of the candidate, a multicandidate political~~
- 31 ~~committee, or a political party other than a statewide political party soliciting or~~

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

8 ~~a. For each aggregated contribution from a contributor which totals in excess of two~~
9 ~~hundred fifty 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 of~~
14 ~~two hundred fifty dollars during the reporting period;~~

15 ~~c. The total of all contributions received from contributors that contributed two~~
16 ~~hundred fifty 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.~~

21 ~~2. Beginning on the thirty-ninth day before the election through the day before the~~
22 ~~election, a person that files a statement under subsection 1 must file a supplemental~~
23 ~~statement within forty-eight hours of the start of the day following the receipt of a~~
24 ~~contribution or aggregate contribution from a contributor which is in excess of five~~
25 ~~hundred dollars. The statement must include:~~

26 ~~a. The name and mailing address of the contributor;~~

27 ~~b. The total amount of the contribution received during the reporting period; and~~

28 ~~c. The date the last contributed amount was received.~~

29 ~~3. Prior to February first, a candidate or candidate committee, a multicandidate political~~
30 ~~committee, or a nonstatewide political party soliciting or accepting contributions shall~~
31 ~~file a campaign disclosure statement that includes all contributions received and~~

- 1 expenditures, by expenditure category, made from January first through December
2 thirty first of the previous year. The statement may be submitted for filing beginning on
3 January first. The statement must include:
- 4 ~~a. For a statewide candidate, a candidate committee formed on behalf of a~~
5 ~~statewide candidate, and a statewide multicandidate committee, the balance of~~
6 ~~the campaign fund on January first and on December thirty first;~~
- 7 ~~b. For each aggregated contribution from a contributor which totals in excess of two~~
8 ~~hundred fifty dollars received during the reporting period:~~
- 9 ~~(1) The name and mailing address of the contributor;~~
10 ~~(2) The total amount of the contribution; and~~
11 ~~(3) The date the last contributed amount was received;~~
- 12 ~~c. The total of all aggregated contributions from contributors which total in excess of~~
13 ~~two hundred fifty dollars during the reporting period;~~
- 14 ~~d. The total of all contributions received from contributors that contributed two~~
15 ~~hundred fifty dollars or less each during the reporting period; and~~
- 16 ~~e. The total of all other expenditures made during the previous year, separated into~~
17 ~~expenditure categories.~~
- 18 ~~4. A person required to file a statement under this section, other than a candidate for~~
19 ~~judicial office, county office, city office, or school district office, or a candidate~~
20 ~~committee for a candidate exempted under this subsection, shall report each~~
21 ~~aggregated contribution from a contributor which totals five thousand dollars or more~~
22 ~~during the reporting period. For these contributions from individuals, the statement~~
23 ~~must include the contributor's occupation, employer, and the employer's principal~~
24 ~~place of business.~~
- 25 ~~5. A candidate for city office in a city with a population under five thousand and a~~
26 ~~candidate committee for the candidate are exempt from this section. A candidate for~~
27 ~~school district office in a school district with a fall enrollment of fewer than~~
28 ~~one thousand students and a candidate committee for the candidate are exempt from~~
29 ~~this section.~~
- 30 ~~6. A candidate for county office and a candidate committee for a candidate for county~~
31 ~~office shall file statements under this chapter with the county auditor. A candidate for~~

city office who is required to file a statement under this chapter and a candidate committee for such a candidate shall file statements with the city auditor. A candidate for school district office who is required to file a statement under this chapter and a candidate committee for such a candidate shall file statements with the school district business manager. Any other person required to file a statement under this section shall file the statement with the secretary of state.

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

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

~~**SECTION 4. AMENDMENT.** Section 16.1-08.1-02.4 of the North Dakota Century Code is amended and reenacted as follows:~~

~~**16.1-08.1-02.4. Pre-election, supplemental, and year-end campaign disclosure statement requirements for statewide political parties and certain political committees.**~~

~~1. Prior to the thirty-first day before a primary, general, or special election, a statewide political party or a political committee not required to file statements under section 16.1-08.1-02.3 which is soliciting or accepting contributions shall file a campaign disclosure statement that includes all contributions received and expenditures made from January first through the fortieth day before the election. A political party that has not endorsed or nominated a candidate in an election is not required to file a statement under this subsection. A statement required to be filed under this subsection may be submitted for filing beginning on the thirty-ninth day before the election. The statement must include:~~

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

~~(1) The name and mailing address of the contributor;~~

~~(2) The total amount of the contribution; and~~

~~(3) The date the last contributed amount was received;~~

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

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

3 ~~_____ d. For each recipient of an expenditure from campaign funds in excess of two~~
4 ~~hundred fifty dollars in the aggregate:~~

5 ~~_____ (1) The name and mailing address of the recipient;~~

6 ~~_____ (2) The total amount of the expenditure made to the recipient; and~~

7 ~~_____ (3) The date the last expended amount was made to the recipient;~~

8 ~~_____ e. The aggregate total of all expenditures from campaign funds in excess of two~~
9 ~~hundred fifty dollars;~~

10 ~~_____ f. The aggregate total of all expenditures from campaign funds of two hundred fifty~~
11 ~~dollars or less; and~~

12 ~~_____ g. The balance of the campaign fund on the fortieth day before the election and~~
13 ~~balance of the campaign fund on January first.~~

14 ~~_____ 2. Beginning on the thirty-ninth day before the election through the day before the~~
15 ~~election, a person that files a statement under subsection 1 must file a supplemental~~
16 ~~statement within forty-eight hours of the start of the day following the receipt of a~~
17 ~~contribution or aggregate contribution from a contributor which is in excess of five~~
18 ~~hundred dollars. The statement must include:~~

19 ~~_____ a. The name and mailing address of the contributor;~~

20 ~~_____ b. The total amount of the contribution received during the reporting period; and~~

21 ~~_____ c. The date the last contributed amount was received.~~

22 ~~_____ 3. Prior to February first, a statewide political party or a political committee that is not~~
23 ~~required to file a statement under section 16.1-08.1-2.3 shall file a campaign~~
24 ~~disclosure statement that includes all contributions received and expenditures made~~
25 ~~from January first through December thirty first of the previous year. The statement~~
26 ~~may be submitted for filing beginning on January first. The statement must include:~~

27 ~~_____ a. For each aggregated contribution from a contributor which totals in excess of two~~
28 ~~hundred fifty dollars received during the reporting period:~~

29 ~~_____ (1) The name and mailing address of the contributor;~~

30 ~~_____ (2) The total amount of the contribution; and~~

31 ~~_____ (3) The date the last contributed amount was received;~~

- 1 ~~_____ b. The total of all aggregated contributions from contributors which total in excess of~~
2 ~~two hundred fifty dollars during the reporting period;~~
3 ~~_____ c. The total of all contributions received from contributors that contributed two~~
4 ~~hundred fifty dollars or less each during the reporting period;~~
5 ~~_____ d. For each recipient of an expenditure from campaign funds in excess of two~~
6 ~~hundred fifty dollars in the aggregate:~~
7 ~~_____ (1) The name and mailing address of the recipient;~~
8 ~~_____ (2) The total amount of the expenditure made to the recipient; and~~
9 ~~_____ (3) The date the last expended amount was made to the recipient;~~
10 ~~_____ e. The aggregate total of all expenditures from campaign funds in excess of two~~
11 ~~hundred fifty dollars;~~
12 ~~_____ f. The aggregate total of all expenditures from campaign funds of two hundred fifty~~
13 ~~dollars or less; and~~
14 ~~_____ g. The balance of the campaign fund on January first and December thirty first.~~
15 ~~_____ 4. A person required to file a statement under this section shall disclose each aggregated~~
16 ~~contribution from a contributor which totals five thousand dollars or more during the~~
17 ~~reporting period. For these contributions from individuals, the statement must include~~
18 ~~the contributor's occupation, employer, and the employer's principal place of business.~~
19 ~~_____ 5. Statements under this section must be filed with the secretary of state.~~
20 ~~_____ 6. The secretary of state shall assess and collect fees for any reports filed after the filing~~
21 ~~deadline.~~
22 ~~_____ **SECTION 5. AMENDMENT.** Subsection 3 of section 16.1-08.1-03.2 of the North Dakota~~
23 ~~Gentury Code is amended and reenacted as follows:~~
24 ~~_____ 3. A political committee that organizes and registers according to federal law and makes~~
25 ~~an independent expenditure or makes a disbursement in excess of two hundred fifty~~
26 ~~dollars to a nonfederal candidate seeking public office, a political party, or political~~
27 ~~committee in this state is not required to register as a political committee according to~~
28 ~~this section if the political committee reports according to section 16.1-08.1-03.7.~~
29 ~~_____ **SECTION 6. AMENDMENT.** Section 16.1-08.1-03.7 of the North Dakota Century Code is~~
30 ~~amended and reenacted as follows:~~

~~16.1-08.1-03.7. Political committees that organize and register according to federal law that make independent expenditures or disbursements to nonfederal candidates, political parties, and political committees.~~

~~— A political committee that organizes and registers according to federal law and makes an independent expenditure or makes a disbursement in excess of two hundred fifty dollars to a nonfederal candidate seeking public office or to a political party or political committee in this state shall file a copy of that portion of the committee's federal report detailing the independent expenditure or the disbursement made. The political committee shall file a copy of the committee's federal report, and supplementary information as necessary under this section, with the secretary of state at the time of filing the report with the applicable federal agency. The report and supplementary information must include:~~

- ~~— 1. The name, mailing address, and treasurer of the political committee;~~
- ~~— 2. The recipient's name and mailing address;~~
- ~~— 3. The date and amount of the independent expenditure or disbursement; and~~
- ~~— 4. The ultimate and true source of funds listed by contributor and subcontributor of any amount over two hundred fifty dollars collected or used to make the independent expenditure or disbursement including:~~
 - ~~— a. The name and address of the contributor;~~
 - ~~— b. The total amount of the contribution; and~~
 - ~~— c. The date the last contribution was received.~~

~~SECTION 7. AMENDMENT. Section 16.1-08.1-06.2 of the North Dakota Century Code is amended and reenacted as follows:~~

~~16.1-08.1-06.2. Secretary of state to provide instructions, make adjustments for inflation, and conduct training.~~

- ~~1. The secretary of state shall provide instructions and conduct training for the purpose of promoting uniform application of campaign finance and disclosure requirements and the uniform filing of statements, registrations, or reports according to this chapter.~~
- ~~2. The secretary also of state shall determine adjustments adjust for inflation of the reporting thresholds in this chapter by one hundred dollars once every ten years from the last calendar year of adjustment and instruct persons submitting reports under this chapter of the adjustments. On The secretary of state shall make the adjustment by~~

January first of each ~~adjustment~~ year, the secretary shall determine whether the accumulated change in the consumer price index for all urban consumers (all items, United States city average), as applied to each reporting threshold in this chapter, would result in an adjustment of at least ten dollars of the threshold in effect on that date. If so, the secretary shall deem the reporting threshold adjusted by ten dollars.

SECTION 1. AMENDMENT. Section 15.1-09-08 of the North Dakota Century Code is amended and reenacted as follows:

15.1-09-08. School district elections - Candidate filings.

An individual seeking election to the board of a school district shall prepare and sign a document stating the individual's name and the position for which that individual is a candidate. A candidate shall also file a statement of interests as required by section 16.1-09-02. Whether or not the election is held in conjunction with a statewide election, all statements of interest must be filed with the school district business manager, or mailed to and in the possession of the business manager, by four p.m. of the sixty-fourth day before the election. A candidate shall also file a campaign contribution statement as required by section ~~16.1-08.1-02.3~~ 16.1-08.2-03.

SECTION 2. AMENDMENT. Section 15.1-09-19 of the North Dakota Century Code is amended and reenacted as follows:

15.1-09-19. Duties of election officials - Other applicable statutes.

Sections ~~16.1-08.1-03.3~~ 16.1-08.2-08, 16.1-10-01, 16.1-10-06, 16.1-10-06.1, 16.1-10-07, 16.1-10-08, 16.1-13-22, 16.1-13-23, 16.1-13-30, 16.1-15-01, 16.1-15-04, and 16.1-16-04 apply to elections held under sections 15.1-09-09 and 15.1-09-11.

SECTION 3. AMENDMENT. Section 16.1-01-12 of the North Dakota Century Code is amended and reenacted as follows:

16.1-01-12. Election offenses - Penalty.

1. It is unlawful for an individual, measure committee as described in section ~~16.1-08.1-01~~ 16.1-08.2-01, or other organization to:
 - a. Fraudulently alter another individual's ballot, substitute one ballot for another, or otherwise defraud a voter of that voter's vote.
 - b. Cause a disturbance, breach the peace, or obstruct a qualified elector or a member of the election board on the way to or at a polling place.
 - c. Vote more than once in any election.

- d. Knowingly vote in the wrong election precinct or district.
- e. Disobey the lawful command of an election officer as defined in chapter 16.1-05.
- f. Knowingly exclude a qualified elector from voting or knowingly allow an unqualified individual to vote.
- g. Knowingly vote when not qualified to do so.
- h. Sign an initiative, referendum, recall, or any other election petition when not qualified to do so.
- i. Circulate an initiative, referendum, recall, or any other election petition not in its entirety or when unqualified to do so.
- j. Pay or offer to pay any individual, measure committee, or other organization, or receive payment or agree to receive payment, on a basis related to the number of signatures obtained for circulating an initiative, referendum, or recall petition. This subsection does not prohibit the payment of salary and expenses for circulation of the petition on a basis not related to the number of signatures obtained, as long as the circulators file the intent to remunerate before submitting the petitions and, in the case of initiative and referendum petitions, fully disclose all contributions received pursuant to chapter ~~16.1-08.1~~ 16.1-08.2 to the secretary of state upon submission of the petitions. The disclosure of contributions received under this section does not affect the requirement to file a pre-election report by individuals or organizations soliciting or accepting contributions for the purpose of aiding or opposing the circulation or passage of a statewide initiative or referendum petition or measure placed upon a statewide ballot by action of the legislative assembly under chapter ~~16.1-08.1~~ 16.1-08.2. Any signature obtained in violation of this subdivision is void and may not be counted.
- k. Willfully fail to perform any duty of an election officer after having accepted the responsibility of being an election officer by taking the oath as prescribed in this title.
- l. Willfully violate any rule adopted by the secretary of state pursuant to this title.
- m. Willfully make any false canvass of votes, or make, sign, publish, or deliver any false return of an election, knowing the canvass or return to be false; or willfully

- 1 deface, destroy, or conceal any statement or certificate entrusted to the
2 individual's or organization's care.
- 3 n. Destroy ballots, ballot boxes, election lists, or other election supplies except as
4 provided by law, or negatively impact the confidentiality, integrity, or availability of
5 any system used for voting.
- 6 o. Sign a name other than that individual's own name to an initiative, referendum,
7 recall, or any other election petition.
- 8 p. Willfully submit an initiative or referendum petition that contains one or more
9 fraudulent signatures.
- 10 2. a. A violation of subdivisions b, e, f, or h through l of subsection 1 is a class A
11 misdemeanor.
- 12 b. A violation of subdivisions a, c, d, g, or m of subsection 1 is a class C felony.
- 13 c. A violation of subdivision n of subsection 1 is a class C felony.
- 14 d. A violation of subdivision o of subsection 1 is a class A misdemeanor if an
15 individual signs one or two names other than the individual's own name to a
16 petition and is a class C felony if an individual signs more than two names other
17 than the individual's own name to a petition.
- 18 e. An organization, as defined in section 12.1-03-04, that violates this section is
19 subject to the organizational fines in section 12.1-32-01.1. The court in which the
20 conviction is entered shall notify the secretary of state of the conviction and shall
21 order the secretary of state to revoke the certificate of authority of any convicted
22 organization or limited liability company. The organization may not reapply to the
23 secretary of state for authorization to do business under any name for one year
24 upon conviction of a class A misdemeanor and for five years upon conviction of a
25 class C felony under this section, except an organization operating a signature
26 gathering business, or similar enterprise, that violates subdivision p of
27 subsection 1, and is convicted of fraud, is subject to a class A misdemeanor and
28 may not reapply to the secretary of state for authorization to do business under
29 any name for five years following the entry of judgment.
- 30 f. A violation of subdivision p of subsection 1 by any member of a measure
31 committee, including an initiative or referendum sponsoring committee 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 is subject to a civil penalty of not more than three thousand dollars. The civil penalty may be recovered in an action brought in the district court of Burleigh County by the attorney general.

g. An individual who is a member of an organization may be convicted of a violation as an accomplice under section 12.1-03-01.

3. Every act this chapter makes criminal when committed with reference to the election of a candidate is equally criminal when committed with reference to the determination of a question submitted to qualified electors to be decided by votes cast at an election.

SECTION 4. Chapter 16.1-08.2 of the North Dakota Century Code is created and enacted as follows:

16.1-08.2-01. Definitions.

1. "Affiliate" means an organization controlling, is controlled by, or is under common control with another organization. For purposes of this definition, control means the possession, direct or indirect, of the power to direct or cause the direction of the management and policies of an organization, whether through the ownership of voting securities, by contract other than a commercial contract for goods or nonmanagement services, or otherwise. Control is presumed to exist if an organization, directly or indirectly, owns, controls, holds with the power to vote, or holds proxies representing fifty percent or more of the voting securities of any other organization.

2. "Association" means any club, association, union, brotherhood, fraternity, organization, or group of any kind of two or more persons, including labor unions, trade associations, professional associations, or governmental associations, which is united for any purpose, business, or object and which assesses any dues, membership fees, or license fees in any amount, or which maintains a treasury fund in any amount. The term does not include corporations, cooperative corporations, limited liability companies, political committees, or political parties.

3. "Conduit" means a person that is not a political party, political committee, or candidate and which receives a contribution of money and transfers the contribution to a candidate, political party, or political committee when the contribution is designated

specifically for the candidate, political party, or political committee and the person has no discretion as to the recipient and the amount transferred. The term includes a transactional intermediary, including a credit card company or a money transfer service paying or transferring money to a candidate on behalf of another person.

4. "Contribution" means a gift, transfer, conveyance, provision, receipt, subscription, loan, advance, deposit of money, or anything of value, made for the purpose of influencing the nomination for election, or election, of any person to public office or aiding or opposing the circulation or passage of a statewide initiative or referendum petition or measure. The term also means a contract, promise, or agreement, express or implied, whether or not legally enforceable, to make a contribution for any of the above purposes. The term includes funds deposited by a candidate for public office or a political party or committee which are transferred or signed over to that candidate, party, or committee from another candidate, party, or political committee or other source including a conduit. The term "anything of value" includes any good or service of more than a nominal value. The term "nominal value" means the cost, price, or worth of the good or service is trivial, token, or of no appreciable value. The term "contribution" does not include:

- a. A loan of money from a bank or other lending institution made in the regular course of business.
- b. Time spent by volunteer campaign or political party workers.
- c. Money or anything of value deposited for commercial transactions, including rents, advertising, or sponsorships made as a part of a fair market value bargained-for exchange.
- d. Money or anything of value deposited for anything other than a political purpose.
- e. Products or services for which the actual cost or fair market value are reimbursed by a payment of money.
- f. An independent expenditure.
- g. The value of advertising paid by a political party, multicandidate political committee, or caucus which is in support of a candidate.
- h. In-kind contributions from a candidate to the candidate's campaign.

- 1 5. "Cooperative corporations", "corporations", and "limited liability companies" are as
2 defined in this code, and for purposes of this chapter "corporations" includes nonprofit
3 corporations. However, if a political committee, the only purpose of which is accepting
4 contributions and making expenditures for a political purpose, incorporates for liability
5 purposes only, the committee is not considered a corporation for the purposes of this
6 chapter.
- 7 6. "Expenditure" means:
 - 8 a. A gift, transfer, conveyance, provision, loan, advance, payment, distribution,
9 disbursement, outlay, or deposit of money or anything of value, except a loan of
10 money from a bank or other lending institution made in the regular course of
11 business, made for a political purpose or for the purpose of influencing the
12 passage or defeat of a measure.
 - 13 b. A contract, promise, or agreement, express or implied, whether or not legally
14 enforceable, to make any expenditure.
 - 15 c. The transfer of funds by a political committee to another political committee.
 - 16 d. An independent expenditure.
- 17 7. "Expenditure categories" means the categories prescribed by the secretary of state
18 into which expenditures for a political purpose must be grouped for reporting under
19 this chapter.
- 20 8. "Foreign national" means:
 - 21 a. A government or country other than the United States.
 - 22 b. A political party organized under the laws of a country other than the United
23 States.
 - 24 c. A corporation, partnership, association, organization, or other combination of
25 persons organized under the laws of or having its principal place of business in a
26 country other than the United States.
 - 27 d. An individual with citizenship of a country other than the United States.
 - 28 e. An individual who is not a citizen or national of the United States and is not
29 admitted lawfully to the United States for permanent residence.
- 30 9. "Independent expenditure" means an expenditure made for a political purpose or for
31 the purpose of influencing the passage or defeat of a measure if the expenditure is

1 made without the express or implied consent authorization, or cooperation of, and not
2 in concert with or at the request or suggestion of any candidate, committee, or political
3 party.

4 10. "Patron" means a person who owns equity interest in the form of stock, shares, or
5 membership or maintains similar financial rights in a cooperative corporation.

6 11. "Person" means an individual, partnership, political committee, association,
7 corporation, cooperative corporation, limited liability company, or other organization or
8 group of persons.

9 12. "Personal benefit" means a benefit to the candidate or another person which is not for
10 a political purpose or related to a candidate's responsibilities as a public officeholder,
11 and any other benefit that would convert a contribution to personal income.

12 13. "Political committee" means any committee, club, association, or other group of
13 persons which receives contributions or makes expenditures for political purposes and
14 includes:

15 a. A political action committee not connected to another organization and free to
16 solicit funds from the general public, or derived from a corporation, cooperative
17 corporation, limited liability company, affiliate, subsidiary, or an association, which
18 solicits or receives contributions from its employees or members or makes
19 expenditures for political purposes on behalf of its employees or members;

20 b. A candidate committee established to support an individual candidate seeking
21 public office, which solicits or receives contributions for political purposes;

22 c. A political organization registered with the federal election commission, which
23 solicits or receives contributions or makes expenditures for political purposes;

24 d. A multicandidate political committee, including a caucus, established to support
25 multiple groups or slates of candidates seeking public office, which solicits or
26 receives contributions for political purposes; and

27 e. A measure committee, including an initiative or referendum sponsoring
28 committee at any stage of its organization, which solicits or receives contributions
29 or makes expenditures for the purpose of supporting or opposing an initiative or
30 referendum petition, or measure sought to be voted upon by the voters of the
31 state, including any activities undertaken for the purpose of drafting an initiative

or referendum petition, seeking approval of the secretary of state for the circulation of a petition, or seeking approval of the submitted petitions.

14. "Political party" means any association, committee, or organization which nominates a candidate for election to any office which may be filled by a vote of the electors of this state or any of its political subdivisions and whose name appears on the election ballot as the candidate of the association, committee, or organization.

15. "Political purpose" means any activity undertaken in support of or in opposition to the election or nomination of a candidate to public office and includes using "vote for", "oppose", or any similar support or opposition language in any advertisement whether the activity is undertaken by a candidate, a political committee, a political party, or any person. The term includes paying any expenses related to the election or nomination of a candidate. This term does not include activities undertaken in the performance of a duty of a public office or any position taken in any bona fide news story, commentary or editorial.

16. "Public office" means every office to which an individual can be elected by vote of the people under the laws of this state.

17. "Subsidiary" means an affiliate of a corporation under the control of the corporation directly or indirectly through one or more intermediaries.

18. "Ultimate and true source" means the person that knowingly contributed over two hundred dollars solely to influence a statewide election or an election for the legislative assembly.

16.1-08.2-02. General provisions.

1. A political committee, except those defined in subdivision c of subsection 13 of section 16.1-08.2-01, shall register its name, mailing address, telephone number, and nongovernment-issued electronic mail address, and its agent's name, mailing address, telephone number, and nongovernment-issued electronic mail address, and a designation as to whether the committee is incorporated solely for the purpose of liability protection, with the secretary of state. A candidate who does not have a candidate committee shall register the candidate's name, mailing address, telephone number, and nongovernment-issued electronic mail address with the secretary of state. If the candidate has an agent, the candidate also shall register the agent's

name, mailing address, telephone number, and nongovernment-issued electronic mail address with the secretary of state.

2. The registration required under this section for a candidate or political committee that has not previously registered with the secretary of state must be submitted within fifteen business days of the deposit date of any contribution or expenditure made.

3. A candidate or political committee required to be registered under this section shall register with the secretary of state each year during which the candidate holds public office or during which the political committee receives contributions, makes expenditures for political purposes, or has a balance in the campaign account. An individual who no longer holds public office or an individual who no longer seeks public office shall register with the secretary of state each year in which contributions are deposited, expenditures are made for political purposes, or a balance remains in the campaign account.

4. Any statement filed with the secretary of state under this chapter must be:

a. Filed electronically within the prescribed time and in the format established by the secretary of state. If the secretary of state does not receive a statement, an electronic duplicate of the statement must be filed promptly upon notice by the secretary of state of its nonreceipt. After a statement has been filed, the secretary of state may request or accept written clarification along with an amended statement from a candidate, political party, or political committee filing the statement when discrepancies, errors, or omissions on the statement are discovered by the secretary of state, the candidate, political party, or political committee filing the statement, or by any interested party reciting a lawful reason for requesting clarification and an amendment be made. When requesting an amended statement, the secretary of state shall establish a reasonable period of time, not to exceed ten days, agreed to by the candidate, political party, or political committee, for filing the amended statement with the secretary of state.

b. Preserved by the secretary of state for a period of ten years from the date of the filing deadline. The statement must be considered a part of the public records of the secretary of state's office and must be open to public inspection on the internet.

- 1 5. In determining the amount of individual contributions from any contributor, all amounts
2 deposited from the same contributor during the reporting period must be aggregated to
3 report an overall total contribution for the purposes of the statements required by this
4 chapter. Contributions made separately by different persons from joint accounts are
5 considered separate contributions for reporting purposes.
- 6 6. In determining the amount of expenditures to any recipient, all expenditures to the
7 same recipient during the reporting period must be aggregated to report an overall
8 total expenditure for the purposes of the statements required by this chapter.
- 9 7. In reporting a contribution deposited through a conduit, a candidate, political party, or
10 political committee shall list each reportable contribution identifying the person that
11 submitted the contribution to the conduit and provide the required information
12 regarding the contribution from that person rather than identifying the conduit as the
13 contributor.
- 14 8. A political committee organizing and registering according to federal law which makes
15 an independent expenditure or makes a disbursement in excess of two hundred
16 dollars to a nonfederal candidate seeking public office, a political party, or political
17 committee shall report as a political committee according to sections 16.1-08.2-03 or
18 16.1-08.2-04 and 16.1-08.2-06.
- 19 9. To ensure accurate reporting and avoid commingling of campaign and personal funds,
20 candidates shall use dedicated campaign accounts that are separate from any
21 personal accounts.
- 22 10. Registration by a political committee under this section does not reserve the name for
23 exclusive use nor does it constitute registration of a trade name under chapter 47-25.
- 24 11. A candidate or candidate committee for a county office, city office, or school district
25 office are exempt from registering and filing with the secretary of state. Any other
26 person required to file a statement under this chapter shall file the statement with the
27 secretary of state.
- 28 a. A candidate for city office in a city with a population under five thousand and a
29 candidate committee for the candidate are exempt from this chapter. A candidate
30 for school district office in a school district with a fall enrollment of fewer than one

thousand students and a candidate committee for the candidate are exempt from this chapter.

b. A candidate for county office and a candidate committee for a candidate for county office shall file statements under this chapter with the county auditor. A candidate for city office and a candidate committee for a candidate for city office shall file statements under this chapter with the city auditor. A candidate for school district office and a candidate committee for a candidate for school district office shall file statements under this chapter with the school business manager.

12. A political committee that qualifies as a nonprofit entity under section 501(c)(4) of the Internal Revenue Code [26 U.S.C. 501(c)(4)] is not required to disclose the information under this section.

13. A political committee that registers according to federal law and files a campaign disclosure statement in accordance with this chapter is required to include only contributions received or expenditures made for a nonfederal political purpose related to this state or for the purpose of influencing an initiated petition or the passage or defeat of a measure in this state.

14. A political committee that registers according to federal law is not required to file a campaign disclosure statement in accordance with this chapter for a reporting period in which the political committee maintains a campaign balance and does not receive a contribution or make an expenditure that is reportable under this chapter.

16.1-08.2-03. Pre-election, supplemental, and year-end campaign disclosure statement requirements for candidates, candidate committees, multicandidate committees, political committees, and nonstatewide political parties.

1. Before a primary or special election, and before and following a general election, a candidate or candidate committee formed on behalf of the candidate, a multicandidate political committee, a political committee, or a nonstatewide political party soliciting or accepting contributions shall file a campaign disclosure statement from:

- a. January first through April thirtieth before a primary election.
- b. May first through September thirtieth before a general election.
- c. October first through December thirty-first following a general election.
- d. January first through the fortieth day before a special election.

- 1 2. A candidate whose name is not on the ballot and who is not seeking election through
2 write-in votes, the candidate's candidate committee, and a nonstatewide political party
3 that has not endorsed or nominated any candidate in the election is not required to file
4 a statement under subsection 1, but is required to file a statement under subsection 6.
- 5 3. The statement before a primary, general, or special election under subsection 1 may
6 be submitted for filing beginning on the day following the end of the reporting period
7 and must be submitted before the eighth day following the reporting period. The
8 statement following the general election may be submitted for filing beginning on
9 January first and must be submitted before February first.
- 10 4. A statement filed under subsection 1 must include the following information:
 - 11 a. For each aggregated contribution deposited from a contributor which totals in
12 excess of two hundred dollars during the reporting period, the:
 - 13 (1) Name and the city and state of the contributor;
 - 14 (2) Total amount of the contribution; and
 - 15 (3) Date the last contributed amount was deposited.
 - 16 b. The total of all aggregated contributions which total in excess of two hundred
17 dollars during the reporting period.
 - 18 c. The total of all contributions deposited from contributors that contributed two
19 hundred dollars or less during the reporting period.
 - 20 d. A total of all expenditures made during the reporting period, separated into
21 expenditure categories.
 - 22 e. For a statewide candidate, a candidate committee formed on behalf of a
23 statewide candidate, and a statewide multicandidate committee, the balance of
24 the campaign fund on the last day of the reporting period and the balance of the
25 campaign fund on the first day of the reporting period.
- 26 5. Beginning on May first before a primary election, October first before a general
27 election, and thirty-nine days before a special election through the day before the
28 election, a person filing a statement under subsection 1 must file a supplemental
29 statement within forty-eight hours of the start of the day following the deposit date of a
30 contribution or aggregate contribution from a contributor which is in excess of five
31 hundred dollars. The statement must include the:

- 1 a. Name and the city and state of the contributor;
- 2 b. Total amount of the contribution deposited during the reporting period; and
- 3 c. Date the last contributed amount was deposited.
- 4 6. Before February first, a candidate whose name is not on the ballot and who is not
5 seeking election through write-in votes, or the candidate's candidate committee, a
6 multicandidate political committee, or a nonstatewide political party soliciting or
7 accepting contributions not required to file a statement under subsection 1 shall file a
8 campaign disclosure statement including all contributions deposited and expenditures
9 from January first through December thirty-first of the previous year. The filer shall
10 indicate on the report the corresponding reporting period, as described under
11 subsection 1, in which each contribution was deposited and expenditure was made to
12 determine whether the filer's aggregated totals exceed two hundred dollars for the
13 reporting period. The statement may be submitted for filing beginning on January first.
14 The statement filed according to this section must include the following information:
15 a. For each aggregated contribution deposited from a contributor which totals in
16 excess of two hundred dollars deposited during the reporting period, the:
17 (1) Name and the city and state of the contributor;
18 (2) Total amount of the contribution; and
19 (3) Date the last contributed amount was deposited.
20 b. The total of all aggregated contributions from contributors which total in excess of
21 two hundred dollars during the reporting period.
22 c. The aggregated total of contributions deposited from contributors that contributed
23 two hundred dollars or less during the reporting period.
24 d. A total of all expenditures made during the reporting period, separated into
25 expenditure categories.
26 e. For a statewide candidate, a candidate committee formed on behalf of a
27 statewide candidate, and a statewide multicandidate committee, the balance of
28 the campaign fund on the last day of the reporting period and the balance of the
29 campaign fund on the first day of the reporting period.
30 7. Contributions received from a contributor and expenditures made which total
31 two hundred dollars or less in the aggregate filed under this section during the

1 calendar year are exempt records under chapter 44-04 and reported as part of
2 aggregate totals only. For purposes of this subsection, the aggregate contributions
3 must be calculated based on the calendar year, not the reporting period.

4 8. A candidate, a candidate committee formed on behalf of a candidate, or a
5 multicandidate committee for county office, city office, or school district office shall
6 report aggregated contributions and expenditures of two hundred dollars or less under
7 this section.

8 9. A person required to file a statement under this section shall report each aggregated
9 contribution from a contributor which totals five thousand dollars or more during the
10 reporting period. For these contributions from individuals, the statement must include
11 the contributor's occupation, employer, and the employer's principal place of business.

12 **16.1-08.2-04. Pre-election, supplemental, and year-end campaign disclosure**
13 **statement requirements for statewide political parties and certain political committees.**

14 1. Before a primary or special election, and before and following a general election, a
15 statewide political party or a political committee not required to file under section
16 16.1-08.2-03 which is soliciting or accepting contributions shall file a campaign
17 disclosure statement including all contributions and expenditures from:

- 18 a. January first through April thirtieth before a primary election;
19 b. May first through September thirtieth before a general election;
20 c. October first through December thirty-first following a general election; and
21 d. January first through the fortieth day before a special election.

22 2. A statewide political party that has not endorsed or nominated a candidate in the
23 election or a political committee not soliciting or accepting contributions is not required
24 to file a statement under subsection 1, but is required to file a statement under
25 subsection 5.

26 3. The statement before a primary, general, or special election may be submitted for filing
27 beginning on the day following the end of the reporting period and must be submitted
28 before the eighth day following the reporting period. The statement following the
29 general election may be submitted for filing beginning on January first and must be
30 submitted before February first. The statement must include:

- 1 a. The total of all contributions and expenditures which total in excess of two
2 hundred dollars during the reporting period and the aggregated total of
3 contributions and expenditures which are two hundred dollars or less during the
4 reporting period.
- 5 b. The balance of the campaign fund on the last day of the reporting period and the
6 balance of the campaign fund on the first day of the reporting period.
- 7 c. For each contribution deposited during the reporting period, the:
8 (1) Name and the city and state of the contributor;
9 (2) Total amount of the contribution; and
10 (3) Date the last contributed amount was deposited.
- 11 d. For each expenditure during the reporting period, the:
12 (1) Name of the recipient and location of purchase;
13 (2) Total amount of the expenditure made to the recipient;
14 (3) Date of the expenditure; and
15 (4) Expenditure category.
- 16 4. Beginning on May first before a primary election, October first before a general
17 election, and thirty-nine days before a special election through the day before the
18 election, a person filing a statement under subsection 1 shall file a supplemental
19 statement within forty-eight hours of the start of the day following the deposit date of a
20 contribution or aggregate contribution from a contributor which is in excess of five
21 hundred dollars. The statement must include the:
22 a. Name and the city and state of the contributor;
23 b. Total amount of the contribution deposited during the reporting period; and
24 c. Date the last contributed amount was deposited.
- 25 5. Before February first, a statewide political party or a political committee that is not
26 required to file a statement under subsection 1 shall file a campaign disclosure
27 statement including all contributions deposited and expenditures from January first
28 through December thirty-first of the previous year. The filer shall indicate on the report
29 the corresponding reporting period, as described under subsection 1, for which each
30 contribution was deposited and expenditure was made to determine whether the filer's

- 1 aggregated totals exceed two hundred dollars for the reporting period. The statement
- 2 must include:
- 3 a. The total of all contributions and expenditures which total in excess of two
- 4 hundred dollars during the reporting period and the aggregated total of
- 5 contributions and expenditures which are two hundred dollars or less during the
- 6 reporting period.
- 7 b. The total of all aggregated expenditures from campaign funds reported in
- 8 expenditure categories.
- 9 c. The balance of the campaign fund on the last day of the reporting period and the
- 10 balance of the campaign fund on the first day of the reporting period.
- 11 d. For each contribution deposited during the reporting period, the:
- 12 (1) Name and the city and state of the contributor;
- 13 (2) Total amount of the contribution; and
- 14 (3) Date the last contributed amount was deposited.
- 15 e. For each expenditure during the reporting period, the:
- 16 (1) Name of the recipient and location of purchase;
- 17 (2) Total amount of the expenditure made to the recipient;
- 18 (3) Date of the expenditure; and
- 19 (4) Expenditure category.
- 20 6. Contributions received from a contributor and expenditures made which total two
- 21 hundred dollars or less in the aggregate filed under this section during the calendar
- 22 year are exempt records under chapter 44-04 and reported as part of aggregate totals
- 23 only. For purposes of this subsection, the aggregate contributions must be calculated
- 24 based on the calendar year, not the reporting period.
- 25 7. A person required to file a statement under this section shall report each aggregated
- 26 contribution from a contributor which totals five thousand dollars or more during the
- 27 reporting period. For these contributions from individuals, the statement must include
- 28 the contributor's occupation, employer, and the employer's principal place of business.
- 29 8. A person filing a statement under this section shall file the statement with the secretary
- 30 of state.

16.1-08.2-05. Special requirements for state political parties.

1. State political parties shall establish separate and segregated accounts for the management of state nominating conventions. All revenue obtained and expenditures made for the planning and running of a state convention must be accounted for in these accounts.
2. A postconvention statement must be filed with the secretary of state sixty days after the close of the state nominating convention. The reporting period for the postconvention statement begins on the first day of January of the reporting year and ends thirty days after the close of the state nominating convention.
3. A year-end statement covering the entire calendar year must be filed with the secretary of state before February first of the following year even if no convention revenue was deposited or expenditures made within the calendar year.
4. The statement filed under this section must show:
 - a. The balance of the filer's convention accounts at the start and close of the reporting period.
 - b. The total of all revenue deposited and expenditures made of two hundred dollars or less.
 - c. The total of all revenue deposited and expenditures made in excess of two hundred dollars.
 - d. For revenues received and deposited, the:
 - (1) Name of each person providing the revenue;
 - (2) City and state of each person providing revenue;
 - (3) Date of the most recent deposit of revenue from each person providing revenue; and
 - (4) Purpose or purposes for which revenue was deposited from each person.
 - e. For each expenditure made, the:
 - (1) Name of each person to which the expenditure was made;
 - (2) City and state of each person to which the expenditure was made;
 - (3) Date of the most recent expenditure made to each person or entity; and
 - (4) Purpose or purposes for which the aggregated expenditure total was disbursed to each person or entity.

- 1 f. The total of all contributions and expenditures which total in excess of two
2 hundred dollars during the reporting period.
- 3 g. The aggregated total of contributions and expenditures which are two hundred
4 dollars or less during the reporting period.
- 5 h. For each aggregated revenue from an individual which totals five thousand
6 dollars or more during the reporting period, the occupation, employer, and
7 principal place of business of the individual.
- 8 5. Revenues received and expenditures made of two hundred dollars or less in the
9 aggregate during the calendar year are exempt records under chapter 44-04 and
10 reported as part of aggregate totals only. For purposes of this subsection, the
11 aggregate revenues and contributions must be calculated based on the calendar year,
12 not the reporting period.
- 13 6. If a net gain from the convention is transferred to the accounts established for the
14 support of the nomination or election of candidates, the total transferred must be
15 reported as a contribution in the statements required by section 16.1-08.2-04.
- 16 7. If a net loss from the convention is covered by a transfer from the accounts
17 established for the support of the nomination or election of candidates, the total
18 transferred must be reported as an expenditure in the statements required by section
19 16.1-08.2-04.
- 20 8. A state political party or nonprofit entity affiliated with or under the control of a state
21 political party, which receives a donation for purchasing, maintaining, or renovating a
22 building, shall file a statement with the secretary of state before February first of each
23 calendar year. Any income or financial gain generated from a building purchased,
24 maintained, or renovated from donations must be deposited in the building fund and
25 must be disclosed when the political party or nonprofit entity files the statement
26 required under this section. Money in the fund may be used only by the state political
27 party or nonprofit entity affiliated with or under the control of a state political party for
28 purchasing, maintaining, or renovating a building, including the purchase of fixtures for
29 the building. The statement may be submitted for filing beginning on January first and
30 must include the:
- 31 a. Balance of the building fund on January first;

- b. Name and the city and state of each donor;
- c. Amount of each donation;
- d. Date each donation was deposited;
- e. Name and the city and state of each recipient of an expenditure;
- f. Amount of each expenditure;
- g. Date each expenditure was made; and
- h. Balance of the fund on December thirty-first.

16.1-08.2-06. Special requirements for statements required of persons engaged in activities regarding ballot measures.

1. For each reportable contribution and expenditure under section 16.1-08.2-04, the threshold for reporting is one hundred dollars for any person engaged in activities described in subdivision e of subsection 13 of section 16.1-08.2-01.
2. For contributions deposited from any contributor, a person engaged in activities described in subdivision e of subsection 13 of section 16.1-08.2-01 shall include the following information regarding each subcontributor that has stated a contribution is for the express purpose of furthering the passage or defeat of a ballot measure in the statements required under section 16.1-08.2-04:
 - a. A designation as to whether any person contributed in excess of one hundred dollars of the total contribution;
 - b. The name and the city and state of each subcontributor contributing in excess of one hundred dollars of the total contribution;
 - c. The contribution amounts of each disclosed subcontributor; and
 - d. The occupation, employer, and address for the employer's principal place of business of each disclosed subcontributor.
3. A measure committee which is seeking approval for an initiative or referendum shall file a disclosure statement by the date the secretary of state approves the petition for circulation. Thereafter, the measure committee is required to file disclosure statements as directed by section 16.1-08.2-04.
4. Contributions and expenditures which total one hundred dollars or less in the aggregate filed in a disclosure statement as directed by section 16.1-08.2-04 during the calendar year are exempt records under chapter 44-04 and reported as part of

1 aggregate totals only. For purposes of this subsection, the aggregate contributions
2 must be calculated based on the calendar year, not the reporting period.

3 5. A measure committee that is seeking approval for an initiative or referendum shall file
4 a statement regarding its intent to compensate circulators before paying for petitions to
5 be circulated.

6 **16.1-08.2-07. Special requirements for political committees organized and registered**
7 **under federal law.**

8 1. A political committee organizing and registering according to federal law which makes
9 an independent expenditure or makes a disbursement in excess of two hundred
10 dollars to a nonfederal candidate seeking public office or to a political party or political
11 committee in this state shall file a copy of that portion of the committee's federal report
12 detailing the independent expenditure or the disbursement made.

13 2. The political committee shall file a copy of the committee's federal report, and
14 supplementary information as necessary under this section, with the secretary of state
15 at the time of filing the report with the applicable federal agency. The report and
16 supplementary information must include the:

17 a. Name, city and state, and treasurer of the political committee;

18 b. Recipient's name and mailing address;

19 c. Date and amount of the independent expenditure or disbursement; and

20 d. Ultimate and true source of funds listed by contributor and subcontributor for any
21 amount over two hundred dollars collected or used to make the independent
22 expenditure or disbursement including the:

23 (1) Name, city and state, and treasurer of the political committee;

24 (2) Total amount of the contribution; and

25 (3) Date the last contribution was deposited.

26 **16.1-08.2-08. Campaign contributions by corporations, cooperative corporations,**
27 **limited liability companies, affiliates, subsidiaries, and associations - Penalty.**

28 1. A corporation, cooperative corporation, limited liability company, affiliate, subsidiary, or
29 association may establish, administer, and solicit contributions to a separate and
30 segregated fund to be used for political purposes by the corporation, cooperative

corporation, limited liability company, affiliate, subsidiary, or association. It is unlawful for:

a. The person controlling the fund to make contributions or expenditures using money or anything of value secured by physical force, job discrimination, financial reprisals, or the threat of those actions, or use money from dues, fees, treasury funds, or other money required as a condition of membership in an association, or as a condition of employment, or use money obtained in any commercial transaction. Moneys from fees, dues, treasury funds, or money obtained in a commercial transaction may, however, be used to pay costs of administration of the fund.

b. Any person soliciting an employee, stockholder, patron, board member, or member for a contribution to the fund to fail to inform the employee or member of the political purposes of the fund at the time of the solicitation or of the general political philosophy intended to be advanced through committee activities.

c. Any person soliciting an employee or member for a contribution to the fund to fail to inform the employee or member at the time of the solicitation of the right to refuse to contribute without any reprisal.

d. Any contribution to be accepted without keeping an accurate record of the contributor and amount contributed and of amounts expended for political purposes.

e. Any contribution to be accepted from any person not an employee, a stockholder, a patron, a board member or a member of the corporation, cooperative corporation, limited liability company, affiliate, subsidiary, or association maintaining the political action committee, except a corporation may accept a contribution from an employee, a stockholder, a patron, a board member, or a member of an affiliate or a subsidiary of the corporation.

f. Any expenditure made for political purposes to be reported under this section before control of the expenditure has been released by the political action committee except if there is a contract, a promise, or an agreement, expressed or implied, to make the expenditure.

- 1 2. A person may not make a payment of that person's money or of another person's
2 money to any other person for a political purpose in any name other than that of the
3 person supplying the money and a person may not knowingly receive the payment nor
4 enter nor cause the payment to be entered in that person's account or record in any
5 name other than that of the person by which it actually was furnished.
- 6 3. If an officer, employee, agent, attorney, or other representative of a corporation,
7 cooperative corporation, limited liability company, affiliate, subsidiary, or association
8 makes any contribution prohibited by this section out of corporate, cooperative
9 corporation, limited liability company, affiliate, subsidiary, or association funds or
10 otherwise violates this section, it is prima facie evidence of a violation by the
11 corporation, cooperative corporation, limited liability company, affiliate, subsidiary, or
12 association.
- 13 4. Corporations, cooperative corporations, limited liability companies, affiliates,
14 subsidiaries, and associations may make expenditures and contributions for promoting
15 any general political philosophy or belief deemed in the best interest of the employees,
16 stockholders, patrons, or members of the corporation, cooperative corporation, limited
17 liability company, affiliate, subsidiary, or association other than a "political purpose" as
18 defined by this chapter. A corporation, cooperative corporation, limited liability
19 company, affiliate, subsidiary, or association may not make a contribution for a political
20 purpose.
- 21 5. A corporation, cooperative corporation, limited liability company, affiliate, subsidiary, or
22 association may make a donation of property or money to a state political party or
23 nonprofit entity affiliated with or under the control of a state political party for deposit in
24 a separate and segregated building fund.
- 25 6. A corporation, cooperative corporation, limited liability company, affiliate, subsidiary, or
26 association may make an expenditure to a measure committee for the purpose of
27 promoting the passage or defeat of an initiated or referred measure or petition or make
28 an expenditure to any other person making an independent expenditure. A
29 corporation, cooperative corporation, limited liability company, affiliate, subsidiary, or
30 association may make an independent expenditure for a political purpose, including
31 political advertising in support of or opposition to a candidate, political committee, or a

political party, or for the purpose of promoting passage or defeat of initiated or referred measures or petitions. The corporation, cooperative corporation, limited liability company, affiliate, subsidiary, or association shall file a statement disclosing any expenditure made under this subsection with the secretary of state within forty-eight hours after making the expenditure. The statement must include:

- a. The full name of the corporation, cooperative corporation, limited liability company, affiliate, subsidiary, or association;
- b. The complete address of the corporation, cooperative corporation, limited liability company, affiliate, subsidiary, or association;
- c. The name of the recipient of the expenditure;
- d. If the expenditure is related to a measure or petition, the title of the measure or petition and whether the expenditure is made in support of or opposition to the measure or petition;
- e. If the expenditure is related to a measure, the election date on which the measure either will appear or did appear on the ballot;
- f. The amount of the expenditure;
- g. The cumulative total amount of expenditures since the beginning of the calendar year which are required to be reported under this subsection;
- h. The telephone number and the printed name and signature of the individual completing the statement, attesting to the statement being true, complete, and correct; and
- i. The date on which the statement was signed.

7. A violation of this section may be prosecuted in the county where the contribution is made or in any county in which it has been paid or distributed.

8. It is a class A misdemeanor for an officer, director, stockholder, manager, governor, member, attorney, agent, or representative of any corporation, cooperative corporation, limited liability company, affiliate, subsidiary, or association to violate this section or to counsel or consent to any violation. Any person that solicits or knowingly receives any contribution in violation of this section is guilty of a class A misdemeanor.

9. Any officer, director, stockholder, manager, governor, member, attorney, agent, or representative who makes, counsels, or consents to the making of a contribution in

violation of this section is liable to the company, corporation, limited liability company, affiliate, subsidiary, or association for the amount so contributed.

16.1-08.2-09. Special requirements for conduits.

A conduit transferring any contribution to a candidate, political party, or political committee shall provide the recipient of the contribution a detailed statement listing the name and address of each individual contributor, the amount of each contribution, and the date each contribution was deposited. The conduit also shall include on the statement the occupation, employer, and principal place of business of each contributor, or the political committee if not already registered according to state or federal law, which contributed five thousand dollars or more in the aggregate during a reporting period applicable to the candidate, political party, or political committee. The conduit shall provide the statement to the candidate, political party, or political committee in a manner to allow the candidate, political party, or political committee to file any statement required to be filed under this chapter.

16.1-08.2-10. General prohibitions.

1. A foreign national may not make or offer to make, directly or indirectly, a contribution or expenditure in connection with any election.
2. A candidate, candidate committee, political committee, political party, or any other person may not solicit, accept, or receive, directly or indirectly, a contribution from a foreign national.
3. A candidate may not use any contribution deposited by the candidate, the candidate's candidate committee, or a multicandidate political committee to:
 - a. Give a personal benefit to the candidate or another person;
 - b. Make a loan to another person;
 - c. Knowingly pay more than the fair market value for goods or services purchased for the campaign; or
 - d. Pay a criminal fine or civil penalty.
4. If the secretary of state has substantial reason to believe any person knowingly violated this section, the secretary shall arrange for an audit as authorized by section 16.1-08.2-11.
5. A person may not be excused from attending and testifying or producing any books, papers, or other documents before any court upon any investigation, proceeding, or

trial for a violation of any of the provisions of this chapter, upon the grounds that the testimony or evidence, documentary or otherwise, required of the person may tend to incriminate or degrade the person. A person may not be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which the person may testify or produce evidence, documentary or otherwise. Any testimony given or produced may not be used against the person in any criminal investigation or proceeding.

16.1-08.2-11. Audit by secretary of state.

1. If a substantial irregularity is evident or reasonably alleged, the secretary of state may arrange an audit of any statement filed pursuant to this chapter, to be performed by a certified public accountant of the filer's choice, subject to approval by the secretary of state. If an audit of a statement arranged by the secretary of state under this subsection reveals a violation of this chapter, the candidate, political party, political committee, or other person filing the statement shall pay a fine to the secretary of state equal to two hundred percent of the aggregate of contributions and expenditures found to be in violation or an amount sufficient to pay the cost of the audit, whichever is greater. If an audit of a statement arranged by the secretary of state under this subsection does not reveal a violation of this chapter, the cost of the audit must be paid for by the secretary of state.

2. If a substantial irregularity is reasonably alleged, the secretary of state may arrange an audit of any statement filed pursuant to this chapter, performed by a certified public accountant of the filer's choice, subject to approval by the secretary of state, upon written request by any interested party made to the secretary of state within thirty days following receipt of a statement by the secretary of state. The request must be made in writing, recite a substantial irregularity and a lawful reason for requesting an audit, and be accompanied by a bond in an amount established by the secretary of state sufficient to pay the cost of the audit. If an audit of a statement arranged by the secretary of state under this subsection reveals a violation of this chapter, the candidate, political party, or political committee filing the statement shall pay a fine to the secretary of state equal to two hundred percent of the aggregate of contributions and expenditures found to be in violation or an amount sufficient to pay the cost of the

audit, whichever is greater, and the bond must be returned to the person submitting it.
If an audit of a statement arranged by the secretary of state under this subsection
does not reveal a violation of this chapter, the cost of the audit must be satisfied from
the bond filed with the secretary of state.

3. An audit may not be made or requested of a statement for the sole reason that it was
not timely filed with the secretary of state. An audit made or arranged according to this
section must audit only those items required to be included in any statement,
registration, or report filed with the secretary of state according to this chapter. The
secretary of state may collect any payment obligation arising out of this section by civil
action or by assignment to a collection agency, with any costs of collection to be
added to the amount owed and to be paid by the delinquent filer. Any remaining
moneys collected by the secretary of state after an audit is paid for under this section
must be deposited in the state's general fund. This section does not apply to
statements filed by candidates or candidate committees for candidates for county, city,
or school district offices.

16.1-08.2-12. Filing officer to charge and collect filing fees.

1. If a statement or report required to be filed according to this chapter is not filed within
the prescribed time, the filing officer to whom the report was to be filed is authorized to
charge and collect a late fee as follows:

- a. Within six days after the prescribed time, fifty dollars;
- b. Within thirteen days after the prescribed time, one hundred dollars; and
- c. Thereafter, five hundred dollars.

2. Any amendment filed by the candidate, candidate committee, multicandidate
committee, political committee, or political party, or at the request of the filing officer,
the filing officer to whom the report was to be filed is authorized to charge and collect a
late fee as follows:

- a. Within six days after the date the amendment was due, fifty dollars;
- b. Within eleven days after the date the amendment was due, one hundred dollars;
and
- c. Thereafter, five hundred dollars.

3. Any fines paid under this section must be reported on the statement filed by the candidate, candidate committee, multicandidate committee, political committee, or political party. Any late fees levied by the secretary of state under this section and the identity of the person subject to a late fee must be made publicly available through the format prescribed by the secretary of state.

4. The filing officer may collect any payment obligation arising out of this section by civil action or by assignment to a collection agency, with any costs of collection to be added to the amount owed and to be paid by the delinquent filer.

16.1-08.2-13. Secretary of state to provide instruction and adjust thresholds for inflation.

1. The secretary of state shall provide instructions and conduct training for the purpose of promoting uniform application of campaign finance and disclosure requirements and the uniform filing of statements, registrations, or reports according to this chapter.

2. On January 1, 2028, the secretary of state shall increase any reporting thresholds of two hundred dollars to an amount equal to two hundred fifty dollars.

3. Beginning January 1, 2028, the secretary of state shall increase all reporting threshold amounts by one hundred dollars once every ten years from the last calendar year of adjustment.

4. The secretary of state shall instruct persons submitting reports under this section of the adjustments.

16.1-08.2-14. Penalty.

Except as otherwise provided, any person who willfully violates any provision of this chapter is guilty of a class A misdemeanor.

SECTION 5. AMENDMENT. Subdivision b of subsection 2 of section 16.1-10-02 of the North Dakota Century Code is amended and reenacted as follows:

b. "Property" ~~includes~~ :

(1) Includes motor vehicles, telephones, ~~typewriters~~ computers, adding machines, postage or postage meters, funds of money, and buildings.

However, nothing in this section may be construed to prohibit any candidate, political party, committee, or organization from using any public building for such political meetings as may be required by law, or to prohibit such

candidate, party, committee, or organization from hiring the use of any public building for any political purpose if such lease or hiring is otherwise permitted by law.

(2) Does not include a public building temporarily leased at fair market value to a public or private entity for a political purpose.

(3) Does not include the private portion of the governor's residence.

SECTION 6. AMENDMENT. Section 16.1-10-04.1 of the North Dakota Century Code is amended and reenacted as follows:

16.1-10-04.1. Certain political advertisements to disclose name of sponsor - Name disclosure requirements.

Every political advertisement by newspaper, pamphlet or folder, display card, sign, poster, or billboard, website, or by any other similar public means, on behalf of or in opposition to any candidate for public office, designed to assist, injure, or defeat the candidate by reflecting upon the candidate's personal character or political action, or by a measure committee as described in section ~~16.1-08.1-01~~16.1-08.2-01, or a corporation making an independent expenditure either for or against a measure, must disclose on the advertisement the name of the person, as defined in section ~~16.1-08.1-01~~16.1-08.2-01, or political party paying for the advertisement. If the name of a political party, association, or partnership is used, the disclaimer must also include the name of the chairman or other responsible individual from the political party, association, or partnership. The name of the person paying for any radio or television broadcast containing any advertising announcement for or against any candidate for public office must be announced at the close of the broadcast. If the name of a political party, association, or partnership is used, the disclaimer must also include the name of the chairman or other responsible individual from the political party, association, or partnership. In every political advertisement in which the name of the person paying for the advertisement is disclosed, the first and last name of any named individual must be disclosed. An advertisement paid for by an individual candidate or group of candidates must disclose that the advertisement was paid for by the individual candidate or group of candidates. The first and last name or names of the candidates paying for the advertisement are not required to be disclosed. This section does not apply to campaign buttons.

SECTION 7. AMENDMENT. Subdivision f of subsection 8 of section 51-28-01 of the North Dakota Century Code is amended and reenacted as follows:

- f. By or on behalf of a political party, candidate, or other group with a political purpose, as defined in section ~~16.1-08.1-01~~ 16.1-08.2-01, unless the communication is a text message.

SECTION 8. AMENDMENT. Subsection 11 of section 54-66-01 of the North Dakota Century Code is amended and reenacted as follows:

11. "Ultimate and true source" means the person that knowingly contributed over two hundred ~~fifty~~ dollars through December 31, 2027, or two hundred fifty dollars after December 31, 2027, adjusted for inflation as provided in subsection 5 of section 54-66-02, solely to lobby or influence state government action.

SECTION 9. AMENDMENT. Section 54-66-02 of the North Dakota Century Code is amended and reenacted as follows:

54-66-02. Disclosure of ultimate and true source of funds.

1. A lobbyist who expends an amount greater than two hundred ~~fifty~~ dollars through December 31, 2027, or two hundred fifty dollars after December 31, 2027, to lobby shall file with the secretary of state a report that includes the known ultimate and true source of funds for the expenditure. The report must be filed with the lobbyist expenditure report required under subsection 2 of section 54-05.1-03.
2. A person that expends an amount greater than two hundred ~~fifty~~ dollars through December 31, 2027, or two hundred fifty dollars after December 31, 2027, not including the individual's own travel expenses and membership dues, to influence state government action shall file with the secretary of state a report including the known ultimate and true source of funds for the expenditure. A report under this subsection must be filed on or before the August first following the date of the expenditure. The secretary of state shall provide a form for reports under this subsection and make the form electronically accessible to the public. The secretary of state also shall charge and collect fees for late filing of the reports as follows:
 - a. Twenty-five dollars for a report filed within sixty days after the deadline; or
 - b. Fifty dollars for a report filed more than sixty days after the deadline.

- 1 3. The secretary of state shall compile the reports required under this section and make
- 2 the reports electronically accessible to the public.
- 3 4. A resident taxpayer may commence an action in a district court of this state against a
- 4 person required to comply with this section to compel compliance if all other
- 5 enforcement measures under this chapter have been exhausted and the taxpayer
- 6 reasonably believes the person has failed to comply with this section.
- 7 5. The secretary of state shall ~~determine adjustments~~ adjust for inflation ~~of the reporting~~
- 8 thresholds in this section ~~and~~. Beginning January 1, 2028, the secretary of state shall
- 9 increase the reporting threshold amount under this section by one hundred dollars
- 10 once every ten years from the last calendar year of adjustment. The secretary of state
- 11 shall instruct persons submitting reports under this section of the adjustments. ~~On~~
- 12 ~~January first of each year, the secretary shall determine whether the accumulated~~
- 13 ~~change in the consumer price index for all urban consumers (all items, United States~~
- 14 ~~city average), as applied to each reporting threshold in this section, would result in an~~
- 15 ~~adjustment of at least ten dollars of the threshold in effect on that date. If so, the~~
- 16 ~~secretary of state shall deem the reporting threshold adjusted by ten dollars.~~

17 **SECTION 10. REPEAL.** Chapter 16.1-08.1 of the North Dakota Century Code is repealed.

18 **SECTION 11. APPLICATION.** A person required to file a campaign disclosure statement

19 under sections 16.1-08.1-02.1, 16.1-08.1-02.2, 16.1-08.1-02.3, and 16.1-08.1-02.4 disclosing

20 contributions received and expenditures made from January first through December thirty-first

21 of 2025, shall file the statement in accordance with the statutory requirements under chapter

22 16.1-08.1 as it existed prior to its repeal.

23 **SECTION 12. EFFECTIVE DATE.** Sections 1, 2, 3, 4, 6, 7, 8, 9, and 10 of this Act become

24 effective on January 1, 2026.

HB 1377 050225 2319 PM Roll Call Vote

Amendment

HB 1377

Date Submitted: May 2, 2025, 11:19 p.m.

Action: Passed

Amendment LC #: Pending LC #

Motioned By: Schauer, Austen

Seconded By: Roers, Kristin

Emergency Clause: None

Vote Results: 6 - 0 - 0

Description: delay of increase to threshold, inflation, etc.

Rep. Steiner, Vicky	Yea
Rep. Schauer, Austen	Yea
Rep. Vetter, Steve	Yea
Sen. Roers, Kristin	Yea
Sen. Barta, Jeff	Yea
Sen. Castaneda, Jose	Yea

HB 1377 050225 2320 PM Roll Call Vote

Amendment

HB 1377

Date Submitted: May 2, 2025, 11:20 p.m.

Action: Failed

Amendment LC #: Pending LC #

Motioned By: Castaneda, Jose

Seconded By: Barta, Jeff

Emergency Clause: None

Vote Results: 4 - 2 - 0

Description: beginning and ending fund balance

Rep. Steiner, Vicky	Nay
Rep. Schauer, Austen	Yea
Rep. Vetter, Steve	Nay
Sen. Roers, Kristin	Yea
Sen. Barta, Jeff	Yea
Sen. Castaneda, Jose	Yea

HB 1377 050225 2326 PM Roll Call Vote

Final Recommendation

HB 1377

Date Submitted: May 2, 2025, 11:26 p.m.

Recommendation: In Place Of

Amendment LC #: Pending LC #

Engrossed LC #: N/A

Motioned By: Roers, Kristin

Seconded By: Vetter, Steve

House Carrier: Steiner, Vicky

Senate Carrier: Roers, Kristin

Emergency Clause: None

Vote Results: 5 - 1 - 0

Description: N/A

Rep. Steiner, Vicky	Yea
Rep. Schauer, Austen	Yea
Rep. Vetter, Steve	Yea
Sen. Roers, Kristin	Nay
Sen. Barta, Jeff	Yea
Sen. Castaneda, Jose	Yea

**REPORT OF CONFERENCE COMMITTEE
ENGROSSED HB 1377**

Your conference committee (Sens. Roers, Barta, Castaneda and Reps. Steiner, Schauer, Vetter) recommends that in place of amendment [25.0517.03005](#) adopted by the Senate, Engrossed HB 1377 is amended by amendment [25.0517.03008](#).

Engrossed HB 1377 was placed on the Seventh order of business on the calendar.