

Introduced by

Senators Kannianen, Vedaa, Mathern

Representatives Beadle, Rick C. Becker, Mock

1 A BILL for an Act to amend and reenact sections 16.1-08.1-03.1, 16.1-08.1-03.13, and
2 16.1-08.1-04 of the North Dakota Century Code, relating to contributions to and expenditures of
3 campaigns for initiated or referred measures.

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

5 **SECTION 1. AMENDMENT.** Section 16.1-08.1-03.1 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **16.1-08.1-03.1. Contributions statement required of persons and measure committees**
8 **circulating or promoting passage or defeat of initiated or referred measure.**

- 9 1. Any person or measure committee, ~~as described in section 16.1-08.1-04,~~ that is
10 soliciting or accepting a contribution for the purpose of aiding or opposing the
11 circulation or passage of a statewide initiative or referendum petition or measure
12 placed upon a statewide ballot by action of the legislative assembly at any election
13 shall file a statement in accordance with this subsection if the person has received any
14 contribution in excess of one hundred dollars. The statement must include the name
15 and mailing address of each person that contributed in excess of one hundred dollars
16 to the person, the amount of each reportable contribution, and the date each
17 reportable contribution was received. ~~The statement must include~~
- 18 2. Any person or measure committee that is soliciting or accepting a contribution for the
19 purpose of aiding or opposing the circulation or passage of a statewide initiative or
20 referendum petition or measure placed upon a statewide ballot by action of the
21 legislative assembly at any election shall file a statement with the secretary of state on
22 the first business day of each week which includes the name and mailing address of
23 each recipient of an expenditure exceeding one hundred dollars in the aggregate, the
24 amount of each reportable expenditure, and the date the expenditure was made.

1 3. If a person or measure committee that is soliciting or accepting a contribution for the
2 purpose of aiding or opposing the circulation or passage of a statewide initiative or
3 referendum petition or measure placed upon a statewide ballot by action of the
4 legislative assembly at any election receives any contribution of two hundred dollars in
5 the aggregate, the person or committee shall file with the secretary of state a
6 statement listing the name and street address of that contributor within seventy-two
7 hours of the receipt of the contribution.

8 ~~2.4.~~ A person or measure committee as described in section ~~16.1-08.1-04~~ which~~that~~ is
9 soliciting or accepting a contribution for the purpose of aiding or opposing the
10 circulation or passage of a statewide initiative or referendum petition or measure
11 placed upon a statewide ballot by action of the legislative assembly may not accept a
12 contribution of more than one hundred dollars from an out-of-state person or ~~political-~~
13 ~~committee~~ unless the contribution is accompanied by a certified statement from the
14 contributor listing the name, address, and amount contributed by each person that
15 contributed more than one hundred dollars of the contribution. The certified statement
16 from the out-of-state contributor must indicate if no person contributed in excess of
17 one hundred dollars of the out-of-state person's or ~~political committee's~~ overall
18 contribution. The certified statement must also list the occupation, employer, and
19 principal place of business for each individual who contributed more than one hundred
20 dollars of the contribution. The person soliciting or accepting a contribution for the
21 purpose of aiding the circulation of a statewide initiative or referendum petition or of
22 promoting passage or defeat of a statewide initiated or referred measure shall include
23 this statement with the contribution statement required to be filed under subsection 1.

24 5. A person, political action committee, or measure committee that is soliciting or
25 accepting a contribution for the purpose of aiding or opposing the circulation or
26 passage of a statewide initiative or referendum petition or measure placed upon a
27 statewide ballot by action of the legislative assembly at any election may not accept
28 contributions exceeding fifty percent of its aggregate contributions during any reporting
29 period from out-of-state persons and may not accept more than thirty percent of its
30 aggregate contributions during any reporting period from any individual contributor.

1 ~~3-6.~~ The statement required of a person or measure committee under subsection 1 must
2 be filed with the secretary of state no later than the thirty-second day before the date
3 of the election in which the measure appears or would have appeared on the ballot
4 complete from the beginning of that calendar year through the fortieth day before the
5 date of the election. A complete statement for the entire calendar year for each
6 statement required to be filed under this section must be filed no later than the
7 thirty-first day of January of the following year. ~~Even, even~~ if ~~at~~ the person required to
8 report according to this section has not received any contributions in excess of one
9 hundred dollars during the reporting period, ~~the person shall file a statement as~~
10 ~~required by this chapter.~~ A statement filed according to this section during the reporting
11 period must show the following:
12 a. The gross total of all contributions received and expenditures made in excess of
13 one hundred dollars;
14 b. The gross total of all contributions received and expenditures made of one
15 hundred dollars, or less; and
16 c. The cash on hand in the filer's account at the start and close of the reporting
17 period.

18 **SECTION 2. AMENDMENT.** Section 16.1-08.1-03.13 of the North Dakota Century Code is
19 amended and reenacted as follows:

20 **16.1-08.1-03.13. Contribution statements required of initiated or referendum petition**
21 **sponsoring committees - Statement of petition sponsors.**

- 22 1. At the time the sponsoring committee for an initiated or referendum petition requests
23 approval of the secretary of state to circulate petitions for the purpose of placing a
24 measure on the ballot, the committee also shall submit a statement disclosing the
25 contributions received and the expenditures made relating to the petition.
26 2. If a sponsoring committee receives any contribution of two hundred dollars in the
27 aggregate, the committee shall file with the secretary of state a statement listing the
28 name and street address of that contributor within seventy-two hours of the receipt of
29 the contribution.
30 3. A sponsoring committee shall file a statement with the secretary of state on the first
31 business day of each week which includes the name and mailing address of each

1 recipient of an expenditure, the amount of each expenditure, and the date the
2 expenditure was made.

3 4. At the time the sponsoring committee for an initiated or referendum petition submits
4 signed petitions to the secretary of state, the committee also shall submit a complete
5 statement disclosing the contributions received and expenditures made relating to the
6 petition.

7 ~~3-5.~~ If December thirty-first falls between the date the secretary of state approves the
8 petition for circulation and the date the signed petitions are submitted to the secretary
9 of state, a complete statement for the calendar year shall be filed no later than the
10 thirty-first day of January of the following year.

11 4.6. The sponsoring committee also shall file a complete statement for the calendar year in
12 which the measure or referendum appeared or was to appear on the ballot and any
13 other calendar year not covered by this section in which a contribution was received or
14 an expenditure was made. This statement shall be filed no later than the thirty-first day
15 of January of the following year.

16 ~~5-7.~~ A sponsoring committee may not accept a contribution of more than one hundred
17 dollars from an out-of-state person ~~or political committee~~ unless the contribution is
18 accompanied by a statement from the contributor listing the name, address, and
19 amount contributed by each person that contributed more than one hundred dollars of
20 the contribution. The statement from the out-of-state contributor must indicate if no
21 person contributed in excess of one hundred dollars of the out-of-state person's or
22 political committee's overall contribution. The statement must also list the occupation,
23 employer, and principal place of business for each individual who contributed more
24 than one hundred dollars of the contribution.

25 ~~6.~~ The

26 8. A sponsoring committee may not accept contributions exceeding fifty percent of its
27 aggregate contributions from out-of-state persons and may not accept more than thirty
28 percent of its aggregate contributions from any individual contributor.

29 9. Except for the statements required of under subsections 2 and 3, the statements
30 required under this section must include:

- 1 a. The gross total of all contributions received and expenditures made in excess of
 - 2 one hundred dollars;
 - 3 b. The gross total of all contributions received and expenditures made of one
 - 4 hundred dollars or less;
 - 5 c. The cash on hand in the filer's account at the start and close of the reporting
 - 6 period;
 - 7 d. The name and mailing address of each person that contributed in excess of one
 - 8 hundred dollars to the sponsoring committee;
 - 9 e. The amount of each reportable contribution;
 - 10 f. The date each reportable contribution was received;
 - 11 g. The name and mailing address of each recipient of an expenditure exceeding
 - 12 one hundred dollars in the aggregate;
 - 13 h. The amount of each reportable expenditure; and
 - 14 i. The date the expenditure was made.
- 15 7-10. Within one hundred eighty days after the approval of a petition to initiate or refer a
- 16 measure or to recall an official or after the submission of a petition to convene a grand
- 17 jury as provided under section 29-10.1-02, the sponsoring committee or the individual
- 18 responsible for submission of the petition shall file a statement with the secretary of
- 19 state which discloses whether petition circulators have been or will be paid for the
- 20 circulation of petitions and which lists the total amount of money paid or which is
- 21 expected to be paid to circulators.

22 **SECTION 3. AMENDMENT.** Section 16.1-08.1-04 of the North Dakota Century Code is

23 amended and reenacted as follows:

24 **16.1-08.1-04. Supplemental statement required on large contributions received after**

25 **original statement - Filing time.**

26 If any candidate, political party, or political committee receives contributions in excess of

27 five hundred dollars in the aggregate within the thirty-nine days immediately preceding any

28 election from any individual contributor, that candidate, political party, political committee, or

29 person shall make and file a supplemental statement in the same form as required by section

30 16.1-08.1-02, 16.1-08.1-03, ~~16.1-08.1-03.1~~, 16.1-08.1-03.3, 16.1-08.1-03.8, 16.1-08.1-03.9,

31 16.1-08.1-03.10, 16.1-08.1-03.11, or 16.1-08.1-03.12 stating the name and street address of the

Sixty-fifth
Legislative Assembly

- 1 contributor and the aggregated amount of the contribution and file the statement in the
- 2 appropriate office within forty-eight hours of the receipt of the contribution.