

PROPOSED AMENDMENTS TO SENATE BILL NO. 2148

Page 1, line 1, after "enact" insert "a new subsection to section 16.1-08.1-01, a new section to chapter 16.1-08.1, and"

Page 1, line 2, after "to" insert "disclosures of expenditures,"

Page 1, line 4, after "sections" insert "16.1-08.1-04.1,"

Page 1, line 6, remove "28-32-14,"

Page 1, line 6, after the third comma insert "and"

Page 1, line 6, remove "28-32-17, 28-32-18, and 28-32-18.1,"

Page 1, line 7, after "to" insert "the prohibition on personal use of campaign contributions and the"

Page 1, line 8, remove "to provide for"

Page 1, line 9, remove "a legislative management study;"

Page 1, after line 10, insert:

**"SECTION 1.** A new subsection to section 16.1-08.1-01 of the North Dakota Century Code is created and enacted as follows:

"Ultimate and true source" means the person who knowingly contributed over two hundred dollars, adjusted for inflation, to influence a statewide election or an election for the legislative assembly.

**SECTION 2. AMENDMENT.** Section 16.1-08.1-04.1 of the North Dakota Century Code is amended and reenacted as follows:

**16.1-08.1-04.1. Personal use of contributions prohibited.**

1. A candidate may not use any contribution received by the candidate, the candidate's candidate committee, or a multicandidate political committee to:
  1. a. Give a personal benefit to the candidate or another person;
  2. b. Make a loan to another person;
  3. c. Knowingly pay more than the fair market value for goods or services purchased for the campaign; or
  4. d. Pay a criminal fine or civil penalty.
2. The secretary of state may impose a fine of up to five thousand dollars or two times the value of the contribution used in violation of this section, whichever is higher, upon any person who violates this section.

**SECTION 3.** A new section to chapter 16.1-08.1 of the North Dakota Century Code is created and enacted as follows:

**Ultimate and true source of funds - Required identification.**

In any report under this chapter which requires the identification of a contributor or subcontributor, the ultimate and true source of funds must be identified."

Page 6, line 24, remove "ethics commission or an"

Page 6, line 24, after the second comma insert "or the ethics commission"

Page 14, remove lines 16 through 30

Page 16, remove lines 9 through 31

Page 17, remove lines 1 through 31

Page 18, remove lines 1 through 31

Page 19, remove lines 1 through 24

Page 20, after line 14, insert:

"For purposes of this chapter and article XIV of the Constitution of North Dakota, unless the context otherwise requires:"

Page 20, line 26, after the underscored period insert "Gift" does not mean:

- a. Purely informational material;
- b. A campaign contribution; and
- c. To advance opportunities for state residents to meet with public officials in educational and social settings in the state, any item, service, or thing of value given under conditions that do not raise ethical concerns as set forth in rules adopted by the ethics commission."

Page 21, after line 14, insert:

- "9. "Ultimate and true source" means the person that knowingly contributed over two hundred dollars, adjusted for inflation, to lobby or influence state government action."

Page 23, line 15, replace "Burleigh County" with "the county where the accused individual resides"

Page 23, line 25, after "2." insert "Information relating to or created as part of an informal resolution of a complaint is confidential except the information may be disclosed by the complainant and the accused individual.

3."

Page 23, line 25, after "who" insert "knowingly"

Page 23, line 27, after "A" insert "knowing"

Page 23, line 28, replace "ten" with "one"

Page 23, line 29, after "that" insert "knowingly"

Page 24, line 2, after "A" insert "knowing"

Page 24, line 3, replace "ten thousand" with "five hundred"

Page 24, line 4, after "that" insert "knowingly"

Page 24, line 5, replace "fifty" with "one"

Page 24, line 5, remove "for each violation of the subsection"

Page 24, line 5, replace "that violates" with "for a second or subsequent knowing violation of"

Page 24, line 6, remove "more than once within a twelve-month period"

Page 24, line 8, after "commission" insert ", unless the ethics commission objects to the representation by the attorney general in a specific matter"

Page 24, replace lines 12 through 17 with:

**54-66-14. Disclosure of ultimate and true source of funds.**

A person who expends an amount greater than two hundred dollars, adjusted for inflation, to lobby or influence state government, other than to influence a statewide election or election for the legislative assembly, shall report the ultimate and true source of funds for the expenditure to the secretary of state.

**54-66-15. Lobbyist gifts - Penalty.**

A lobbyist may not give, offer, solicit, initiate, or facilitate a gift to a public official knowingly, and a public official may not accept a gift from a lobbyist knowingly. For the first violation, the secretary of state may impose a fine of up to five hundred dollars upon any person who violates this section. For a second and subsequent violation of this section, the person is guilty of an infraction.

**54-66-16. Lobbyist requirements.**

A person who meets the definition of a lobbyist under this chapter and article XIV of the Constitution of North Dakota is not required to comply with the requirements of chapter 54-05.1, unless the person also meets the definition of a lobbyist under section 54-05.1-02."

Page 24, replace line 24, with:

"Salaries and expenses \$214,800"

Page 24, replace line 26, with:

"Total general fund \$422,000"

Re-number accordingly