Sixty-third
Legislative Assembly
of North Dakota

Introduced by

Representatives Kasper, Beadle, Becker, Dosch, Monson, Nathe, Owens, Streyle, Thoreson

Senators Berry, Klein, Wardner

A BILL for an Act to amend and reenact sections 16.1-08.1-03.1, 29-10.1-02, 29-10.1-21, and
29-10.1-22 of the North Dakota Century Code, relating to disclosure requirements for petition
sponsors and the requirements for calling and the duties of a grand jury.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

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

16.1-08.1-03.1. Contributions statement required of persons and measure committees circulating or promoting passage or defeat of initiated or referred measure - Statement of petition sponsors.

1. At the time the sponsoring committee for an initiated measure petition submits signed petitions to the secretary of state, the committee also shall submit a statement disclosing the total amount of contributions received by the committee to aid the committee in drafting and circulating the petition, the name and mailing address of each person that contributed more than one hundred dollars in the aggregate to the sponsoring committee, the date each such contribution was received, and the total amount of expenditures made by the committee to aid in the drafting and circulation of the petition.

2. Any person or measure committee, as described in section 16.1-08.1-01, that is soliciting or accepting a contribution 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 at any election shall file a statement in accordance with this subsection if the person has received any contribution in excess of one hundred dollars. The statement must include the name and mailing address of each person that contributed in excess of one hundred dollars.
Sixty-third
Legislative Assembly

to the person, the amount of each reportable contribution, and the date each
reportable contribution was received. The statement must include the name and
mailing address of each recipient of an expenditure exceeding one hundred dollars in
the aggregate, the amount of each reportable expenditure, and the date the
expenditure was made.

3. A person or measure committee that is soliciting or accepting a contribution 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 may not accept a contribution of more than one hundred dollars
from an out-of-state person or political committee unless the contribution is
accompanied by a certified statement from the contributor listing the name, address,
and amount contributed by each person that contributed more than one hundred
dollars of the contribution. The statement must indicate if no person contributed in
excess of one hundred dollars of the out-of-state person's or political committee's
overall contribution. The certified statement must also list the occupation, employer,
and principal place of business for each individual who contributed more than one
hundred dollars of the contribution. The person soliciting or accepting a contribution for
the purpose of aiding the circulation of a statewide initiative or referendum petition or
of promoting passage or defeat of a statewide initiated or referred measure shall
include this statement with the contribution statement required to be filed under
subsection 2.

4. The statement required of a person or measure committee under subsection 2 must
be filed with the secretary of state no later than the twelfth day before the date of the
election in which the measure appears or would have appeared on the ballot complete
from the beginning of that calendar year through the twentieth day before the date of
the election. A complete statement for the entire calendar year for each statement
required to be filed under subsections 2 and 3 must be filed no later than the thirty-first
day of January of the following year. Even if a person required to report according to
this section has not received any contributions in excess of one hundred dollars during
the reporting period, the person shall file a statement as required by this chapter.
Sixty-third
Legislative Assembly

statement filed according to subsections 2 and 3 during the reporting period must
show the following:

a. The gross total of all contributions received and expenditures made in excess of
   one hundred dollars;

b. The gross total of all contributions received and expenditures made of one
   hundred dollars, or less; and

c. The cash on hand in the filer's account at the start and close of the reporting
   period.

5. Within one hundred eighty days after the approval of a petition to initiate or refer a
   measure or to recall an official or after the submission of a petition to convene a grand
   jury as provided under section 29-10.1-02, the sponsoring committee or the individual
   responsible for submission of the petition shall file a statement with the secretary of
   state which discloses whether petition circulators have been or will be paid for the
   circulation of petitions and which lists the total amount of money paid or which is
   expected to be paid to circulators.

SECTION 2. AMENDMENT. Section 29-10.1-02 of the North Dakota Century Code is
amended and reenacted as follows:

29-10.1-02. When grand jury may be called.

No grand jury may be drawn, summoned, or convened in any county within this state unless
the district judge thereof shall so direct by a written order filed with the clerk of the court in the
county wherein the said grand jury is required to attend. Any judge of the district court for any
county must direct, in the manner herein provided, that a grand jury be drawn and summoned to
attend whenever:

1. The judge deems the attendance of a grand jury necessary for the due enforcement of
   the laws of the state;

2. The board of county commissioners or state's attorney of the county wherein the court is
to be held, in writing, requests the judge so to do; or

3. A petition in writing requesting the same is presented to the judge, signed by qualified
   electors of the county equal in number to at least ten percent of the
total vote cast in the county for the office of governor of the state at the last general
Sixty-third
Legislative Assembly

election, but the number of signatures required may not be fewer than two hundred twenty-five nor exceed five thousand.

SECTION 3. AMENDMENT. Section 29-10.1-21 of the North Dakota Century Code is amended and reenacted as follows:


The grand jury shall inquire into the cause of detention of every person imprisoned in the jail of the county against whom neither a criminal complaint nor information has been filed, or who has not had or waived a preliminary examination, and into all public offenses committed or triable in the county, and if the evidence so warrants, shall present them to the court by written indictment. Each grand jury impaneled within any county shall inquire into offenses against the criminal laws of the state alleged to have been committed within that county. The alleged offenses may be brought to the attention of the grand jury by the court or by any state's attorney or the state's attorney's designee. The state's attorney or the state's attorney's designee shall inform the grand jury of the alleged offense, the identity of the alleged offender, and the state's attorney or state's attorney's designee's action or recommendation. As to any offense committed while the grand jury is in session, the state's attorney or prosecutor may proceed with a preliminary examination or the filing of an information, as provided for by law, and prosecute the charge, and, under such conditions, the grand jury is not required to inquire into such offense. The presentment of an indictment against a person does not preclude the prosecution of such person for the same offense upon a criminal complaint or information previously filed with the court.

SECTION 4. AMENDMENT. Section 29-10.1-22 of the North Dakota Century Code is amended and reenacted as follows:


Whenever directed by the district court, the grand jury shall inquire into:

1. The condition and management of the public prisons in the county; and
2. Willful and corrupt felonious misconduct in office of public officials of every description in the county.