

HOUSE BILL NO. 1344

Introduced by

Representatives Dobervich, P. Anderson, Delmore, Guggisberg, Hogan, Mock, M. Nelson,
Schneider

Senators Heckaman, Mathern, Nelson, Oban

1 A BILL for an Act to create and enact a new section to chapter 16.1-08.1 of the North Dakota
2 Century Code, relating to prohibiting the personal use of campaign funds; and to provide a
3 penalty.

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

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

7 **Personal use of contributions prohibited - Exceptions.**

8 A candidate may not use any contribution received by the candidate, the candidate's
9 candidate committee, or a multicandidate political committee to:

- 10 1. Give a personal benefit to the candidate or to another person. For purposes of this
11 section, "personal benefit" means fulfilling a commitment, obligation, or expense of
12 any person which would exist irrespective of the candidate's campaign or
13 responsibilities as an officeholder;
- 14 2. Convert the contribution to personal income of the candidate;
- 15 3. Make a loan to another person;
- 16 4. Knowingly pay more than the fair market value for goods or services purchased for the
17 campaign;
- 18 5. Pay a criminal fine; or
- 19 6. Pay civil penalties, except a contribution may be used to pay a civil penalty assessed
20 under section 16.1-08.1-05 if the secretary of state determines the candidate did not
21 cause or participate in the violation for which the civil penalty is imposed, exercised a
22 reasonable level of oversight over the campaign, and cooperated in the revelation of
23 the violation and in its immediate correction.