

PROPOSED AMENDMENTS TO REENGROSSED SENATE BILL NO. 2343

Page 1, line 1, replace "three" with "four"

Page 1, line 3, replace the first "section" with "sections"

Page 1, line 3, remove "subsections 6 and 7 of section"

Page 1, line 4, remove "sections"

Page 1, line 4, replace "and" with ", 16.1-08.1-03.2,"

Page 1, line 4, after the second comma insert "and 16.1-08.1-03.5,"

Page 1, line 7, remove "16.1-08.1-03.1,"

Page 1, line 9, remove "and"

Page 1, line 9, after "penalty" insert "; to provide for application; and to provide an effective date"

Page 3, line 8, remove the overstrike over "~~A loan of money from a bank or other lending institution made in the regular~~"

Page 3, remove the overstrike over line 9

Page 3, line 10, remove the overstrike over "b."

Page 3, line 12, replace "b." with "c."

Page 3, line 15, replace "c." with "d."

Page 3, line 19, replace "d." with "e."

Page 3, line 21, replace "e." with "f."

Page 3, line 22, replace "f." with "g."

Page 3, after line 23 insert:

"h. In-kind contributions from a candidate to the candidate's campaign."

Page 4, line 17, remove "Consulting:"

Page 4, line 18, remove "d."

Page 4, remove lines 19 and 20

Page 4, line 21, replace "g." with "d."

Page 4, line 22, replace "h." with "e."

Page 5, line 10, after "committee" insert "not connected to another organization and free to solicit funds from the general public"

Page 5, line 10, after the first comma insert "or"

Page 5, line 22, after the comma insert "including a caucus."

**"SECTION 2. AMENDMENT.** Section 16.1-08.1-02.1 of the North Dakota Century Code is amended and reenacted as follows:

**16.1-08.1-02.1. State political party convention revenue and expense statement required.**

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 ~~no later than the thirty-first day of January~~before February first of the following year even if no convention revenue was received or expenditures made within the calendar year.
4. The statement filed according to this section must show the following:
  - a. ~~The cash on hand in balance of~~ the filer's convention accounts at the start and close of the reporting period;
  - b. The ~~gross~~ total of all revenue received and expenditures made of two hundred dollars, or less;
  - c. The ~~gross~~ total of all revenue received and expenditures made in excess of two hundred dollars;
  - d. ~~The~~For each aggregated totals of all revenue received from a single person ~~or entity~~ in excess of two hundred dollars, ~~the~~:
    - (1) ~~The~~ name of each person ~~or entity~~, ~~the~~;
    - (2) ~~The~~ mailing address of each person ~~or entity~~, ~~the~~;
    - (3) ~~The~~ date of the most recent receipt of revenue from each person ~~or entity~~, ~~and the~~; and
    - (4) ~~The~~ purpose or purposes for which the aggregated revenue total was received from each person ~~or entity~~;
  - e. ~~The aggregated totals of all expenditures~~For each aggregated expenditure made to a single person ~~or entity~~ in excess of two hundred dollars, ~~the~~:
    - (1) ~~The~~ name of each person or entity, ~~the~~;
    - (2) ~~The~~ mailing address of each person or entity, ~~the~~;
    - (3) ~~The~~ date of the most recent expense made to each person or entity, ~~and the~~; and

- (4) ~~The purpose or purposes for which the aggregated expenditure total was disbursed to each person or entity; and~~
- f. ~~A political party shall report~~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 each person from whom five thousand dollars or more of revenue was received in the aggregate during the reporting periodthe individual must be disclosed.
5. ~~For the purposes of this section, the term entity is defined as any group consisting of or representing more than one person.~~
6. 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 ~~16.1-08.1-035~~ of this Act.
- ~~7.6.~~ 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 ~~16.1-08.1-035~~ of this Act.

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

**State political party building fund statement required.**

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:

1. The balance of the building fund on January first;
2. The name and mailing address of each donor;
3. The amount of each donation;
4. The date each donation was received;
5. The name and mailing address of each recipient of an expenditure;
6. The amount of each expenditure;
7. The date each expenditure was made; and
8. The balance of the fund on December thirty-first."

Page 6, remove lines 27 through 30

Page 7, remove lines 1 and 2

Page 7, line 6, replace "**political action**" with "**multicandidate**"

Page 7, line 10, remove "a political action committee."

Page 7, line 27, replace "and" with an underscored comma

Page 7, line 28, after the underscored comma insert "and a statewide multicandidate committee."

Page 7, line 31, replace "report" with "statement"

Page 8, line 8, remove "a political action committee."

Page 8, line 8, after the first "or" insert "a"

Page 8, line 13, replace "and" with an underscored comma

Page 8, line 14, after the underscored comma insert "and a statewide multicandidate committee."

Page 8, line 24, after the underscored semicolon insert "and"

Page 8, line 25, remove "The aggregate total of all expenditures from campaign funds of two hundred"

Page 8, remove lines 26 and 27

Page 8, line 28, remove "f."

Page 8, line 30, replace "report" with "statement"

Page 8, line 30, replace "subsection 1 or subsection 3" with "this section"

Page 9, line 3, after "contributions" insert "from individuals"

Page 9, line 3, replace "report" with "statement"

Page 9, line 3, remove the underscored colon

Page 9, line 4, replace "a. The" with "the"

Page 9, line 5, remove "; or"

Page 9, remove line 6

Page 9, line 7, remove "address of the contributor"

Page 9, after line 17, insert:

"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."

Page 9, line 21, remove "**certain**"

Page 9, line 21, after "and" insert "**certain**"

Page 10, line 13, replace "received by" with "made to"

Page 11, line 15, replace "received by" with "made to"

Page 11, line 22, replace the first "report" with "statement"

Page 11, line 22, replace "subsection 1 or subsection 3" with "this section"

Page 11, line 22, replace the second "report" with "disclose"

Page 11, line 24, after "contributions" insert "from individuals"

Page 11, line 24, replace "report" with "statement"

Page 11, line 24, remove the underscored colon

Page 11, line 25, replace "a. The" with "the"

Page 11, line 26, remove ": or"

Page 11, remove line 27

Page 11, line 28, remove "address of the contributor"

Page 13, line 19, after "contribution" insert "and expenditure"

Page 13, line 19, replace "4" with "5"

Page 14, after line 10, insert:

**"SECTION 7. AMENDMENT.** Section 16.1-08.1-03.2 of the North Dakota Century Code is amended and reenacted as follows:

**16.1-08.1-03.2. Political committee and candidate registration.**

1. A political committee as defined in section 16.1-08.1-01 shall register its name and contact information, its agent's name and contact information, 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 and contact information and, if the candidate has an agent, the agent's name and contact information with the secretary of state. 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 of any contribution or expenditure made.
2. 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 office or during which the political committee receives contributions ~~or~~, 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 must register with the secretary of state each year in which contributions are received ~~or~~, expenditures are made for political purposes, or has a balance in the campaign account.
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 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.

4. ~~An incidental political committee is required to register under this section only as a result of making a reportable expenditure or contribution in the aggregate during any reporting period, but the registration under this section does not change the nature of business for the organization.~~
5. 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."

Page 14, line 14, after "**companies**" insert "**affiliates, subsidiaries**"

Page 14, line 16, after the third comma insert "affiliate, subsidiary."

Page 14, line 19, after the comma insert "affiliate, subsidiary."

Page 15, line 9, after the second comma, insert "affiliate, subsidiary."

Page 16, line 20, after the second comma insert "affiliate, subsidiary."

Page 16, line 22, after the first comma insert "affiliate, subsidiary."

Page 16, line 24, after the comma insert "affiliate, subsidiary."

Page 16, line 29, after the second comma insert "affiliate, subsidiary."

Page 17, line 3, after the third comma insert "affiliate, subsidiary."

Page 17, after line 4, insert:

**"SECTION 9. AMENDMENT.** Section 16.1-08.1-03.5 of the North Dakota Century Code is amended and reenacted as follows:

**16.1-08.1-03.5. Corporate contributions and expenditures -  
ReportStatement required.**

1. 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.
2. 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. Money in the fund must be used exclusively 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 and for the purchase of fixtures for the building. A state political party or nonprofit

~~entity affiliated with or under the control of a state political party receiving a donation under this subsection shall file a statement with the secretary of state no later than the thirty first day of January of each calendar year. The statement must include the name and mailing address of each donor, the amount of each donation, the date each donation was received, all expenditures made from the fund during the previous calendar year, and cash on hand in the fund at the start and close of the reporting period. Any income and financial gain generated from a building purchased, maintained, or renovated from donations authorized under this subsection and not otherwise authorized by law must be deposited in the building fund and must be reported when the political party or nonprofit entity files the statement required under this subsection.~~

3. A corporation, cooperative corporation, limited liability company, affiliate, subsidiary, or association may make an expenditure to a measure committee as described in section 16.1-08.1-01 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 that makes 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."

Page 17, line 27, overstrike "16.1-08.1-03.11"

Page 17, line 27, remove "or to statements filed"

Page 17, line 27, remove "for county office"

Page 17, line 27, remove the second "by"

Page 17, line 28, replace "office" with "or city offices"

Page 18, line 4, overstrike "When the candidate files a"

Page 18, overstrike line 5

Page 18, line 6, overstrike "section"

Page 18, line 6, remove "4 of this Act"

Page 18, line 6, overstrike "complete through the day of the filing of the"

Page 18, overstrike line 7

Page 18, line 8, remove "16.1-08.1-03.1,"

Page 18, after line 10, insert:

**"SECTION 14. EFFECTIVE DATE.** This Act becomes effective on February 1, 2018.

**SECTION 15. APPLICATION.** The provisions of this Act apply for campaign years that begin after December 31, 2017."

Re-number accordingly