

March 28, 2023

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1529

In lieu of the amendments adopted by the Senate as printed on page 1135 of the Senate Journal, Engrossed Senate Bill No. 1529 is amended as follows:

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact section 16.1-08.1-02.3 of the North Dakota Century Code, relating to campaign disclosure statement requirements for candidate, candidate committees, multicandidate committees, and nonstatewide political parties.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 16.1-08.1-02.3 of the North Dakota Century Code is amended and reenacted as follows:

16.1-08.1-02.3. Pre-election, supplemental, and year-end campaign disclosure statement requirements for candidates, candidate committees, multicandidate committees, and nonstatewide political parties.

1. ~~Prior to~~Before the thirty-first day before a primary, general, or special election, a candidate or candidate committee formed on behalf of the candidate, a multicandidate political committee, or a political party other than a statewide political party soliciting or accepting contributions shall file a campaign disclosure statement that includes all contributions received from January first through the fortieth day before the election. The statement also must include each aggregated expenditure over two hundred dollars made in support of or in opposition to a candidate, political committee, or ballot measure from January first through the fortieth day before the election. A candidate whose name is not on the ballot and who is not seeking election through write-in votes, the candidate's candidate committee, and a political party that has not endorsed or nominated any candidate in the election is not required to file a statement under this subsection. The statement may be submitted for filing beginning on the thirty-ninth day before the election. The statement must include:
 - a. For each aggregated contribution from a contributor which totals ~~in excess of~~more than two hundred dollars received during the reporting period:
 - (1) The name and mailing address of the contributor;
 - (2) The total amount of the contribution; and
 - (3) The date the last contributed amount was received;
 - b. The total of all aggregated contributions from contributors which total ~~in excess of~~more than two hundred dollars during the reporting period;

- c. The total of all contributions received from contributors that contributed two hundred dollars or less each during the reporting period; ~~and~~
 - d. For a statewide candidate, a candidate committee formed on behalf of a statewide candidate, and a statewide multicandidate committee, the balance of the campaign fund on the fortieth day before the election and the balance of the campaign fund on January first; and
 - e. For each aggregated expenditure in support of or in opposition to a candidate, political committee, or ballot measure which totals more than two hundred dollars expended during the reporting period:
 - (1) The name of each candidate, political committee, or ballot measure the expenditure was intended to support or oppose;
 - (2) The total amount of the expenditure;
 - (3) The date the last expenditure was made; and
 - (4) Whether the expenditure was made in support of or opposition to the candidate, political committee, or ballot measure.
2. Beginning on the thirty-ninth day before the election through the day before the election, a person that files a statement under subsection 1 must file a supplemental statement within forty-eight hours of the start of the day following the receipt of a contribution or aggregate contribution from a contributor which is ~~in excess of more than five hundred dollars~~ or the making of an expenditure or aggregate expenditure in support of or in opposition to a candidate, political committee, or ballot measure which is more than five hundred dollars. The statement must include:
- a. ~~The~~For a contribution, the name and mailing address of the contributor or for an expenditure, the name of the candidate, political committee, or ballot measure the expenditure was intended to support or oppose;
 - b. The total amount of the contribution received or expenditure made during the reporting period; ~~and~~
 - c. ~~The~~For the contribution, the date the last contributed amount was received, or for an expenditure, the date the last expenditure was made; and
 - d. For an expenditure, whether the expenditure was made in support of or in opposition to the candidate, political committee, or ballot measure.
3. ~~Prior to~~Before February first, a candidate or candidate committee, a multicandidate political committee, or a nonstatewide political party soliciting or accepting contributions shall file a campaign disclosure statement that includes all contributions received and expenditures, ~~by expenditure category,~~ made from January first through December thirty-first of the previous year. The statement may be submitted for filing beginning on January first. The statement must include:

- a. For a statewide candidate, a candidate committee formed on behalf of a statewide candidate, and a statewide multicandidate committee, the balance of the campaign fund on January first and on December thirty-first;
 - b. For each aggregated contribution from a contributor which totals ~~in excess of~~ more than two hundred dollars received during the reporting period:
 - (1) The name and mailing address of the contributor;
 - (2) The total amount of the contribution; and
 - (3) The date the last contributed amount was received;
 - c. The total of all aggregated contributions from contributors which total ~~in excess of~~ more than two hundred dollars during the reporting period;
 - d. The total of all contributions received from contributors that contributed two hundred dollars or less each during the reporting period; ~~and~~
 - e. The total of all other expenditures made during the previous year, separated into expenditure categories; and
 - f. For each aggregated expenditure in support of or in opposition to a candidate, political committee, or ballot measure which totals more than two hundred dollars expended during the reporting period:
 - (1) The name of the candidate, political committee, or ballot measure the expenditure was intended to support or oppose;
 - (2) The total amount of the expenditure;
 - (3) The date the last expenditure was made; and
 - (4) Whether the expenditure was made in support of or in opposition to the candidate, political committee, or ballot measure.
4. A person required to file a statement under this section, other than a candidate for judicial office, county office, or city office, or a candidate committee for a candidate exempted under this subsection, shall report each aggregated contribution from a contributor which totals five thousand dollars or more during the reporting period. For these contributions from individuals, the statement must include the contributor's occupation, employer, and the employer's principal place of business.
 5. A candidate for city office in a city with a population under five thousand and a candidate committee for the candidate are exempt from this section.
 6. A candidate for county office and a candidate committee for a candidate for county office shall file statements under this chapter with the county auditor. A candidate for city office who is required to file a statement under this chapter and a candidate committee for such a candidate shall file statements with the city auditor. Any other person required to file a statement under this section shall file the statement with the secretary of state.

7. The filing officer shall assess and collect fees for any reports filed after the filing deadline.
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."

Renumber accordingly