

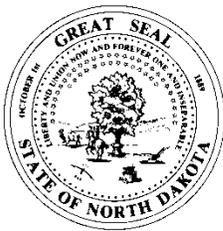
**2013-2015**

**CAMPAIGN FINANCE AND  
DISCLOSURE REQUIREMENTS**

# North Dakota



**✓ votes  
2014**



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Alternate formats for persons with disabilities are available upon request.

## FOREWARD

This pamphlet is intended as a reference source for candidates, state and district political parties, political action committees, multicandidate committees, measure committees, corporations, the public and media, and others with an interest in campaign finance laws and disclosure requirements. Contained within is a summary of the laws found in the North Dakota Century Code (NDCC) relating to campaign finance and disclosure requirements in the state of North Dakota. As an additional help, the entire Campaign Contribution Statements chapter of the NDCC has been included.

## CONTACT

For more information about campaign finance reporting requirements:

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Email – [soselect@nd.gov](mailto:soselect@nd.gov)

Website – [www.nd.gov/sos/electvote](http://www.nd.gov/sos/electvote)

The website contains election publications, connections to other helpful election websites, and state election forms that can be completed online before printing, signing and submitting.

## DISCLAIMER

This pamphlet contains summaries of the campaign finance and disclosure laws found within the NDCC. Although every attempt has been made for accuracy, the reprint of these laws does not carry the same authority as the actual NDCC and should not be equated with the official NDCC. This compilation is only intended as a resource and reference for consolidated campaign finance laws. For official and legal purposes, the official NDCC should be used.

In addition, the included excerpts of North Dakota law do not contain the material found in the legal notes following the various sections contained in the NDCC. Notes found in the NDCC may contain temporary provisions and effective dates along with valuable summaries of applicable court rulings.

# Table of Contents

<b>Disclosure Statement Filers</b> .....	<b>4</b>
Candidates .....	4
Independent Expenditure Filers .....	4
Political Committees .....	4
Political Parties .....	4
<b>Contribution and Expenditure Defined</b> .....	<b>5</b>
Contributions .....	5
Expenditures .....	5
Prohibited Contributions .....	6
<b>Political Committee Registration Required</b> .....	<b>6</b>
<b>Candidates and Candidate Committees are the Same</b> .....	<b>7</b>
Candidate Defined .....	7
Candidate Committee Defined .....	7
Candidate and Candidate Committee Contribution Disclosure .....	7
<b>Candidate Disclosure Requirements</b> .....	<b>8</b>
City Candidates – In Cities with a Population of 5,000 or More .....	8
County Candidate .....	9
Judicial District Candidate Committee .....	10
Legislative Assembly Members and Legislative Candidates .....	11
Statewide Officeholders, Candidates, and Candidate Committees .....	12
<b>Independent Expenditure Disclosure Requirements</b> .....	<b>14</b>
Independent Expenditure Filers Identified .....	14
Independent Expenditure Defined .....	14
Independent Expenditure Disclosure Requirements .....	14
<b>Political Committee Types</b> .....	<b>15</b>
<b>Political Committee Disclosure Requirements</b> .....	<b>15</b>
Incidental Committees .....	15
Independent Expenditure Statement .....	15
Election Related Statements .....	16
Measure Committees .....	17
Multicandidate Committee .....	19
Political Action Committee (PAC) .....	20
<b>Political Party Disclosure Requirements</b> .....	<b>22</b>
District Political Party .....	22
State Political Party – Contribution and Expenditure Statement .....	23
State Political Party – Building Fund .....	24
State Political Party Nominating Conventions .....	25
<b>Sponsoring Committees</b> .....	<b>26</b>
Sponsoring Committees for Initiated or Referred Measures .....	26
<b>Statement Filing Methods, Deadlines, Late Fees, and Amendments</b> .....	<b>27</b>
Filing Methods .....	27
Filing Deadlines .....	27
Late Filing Fees .....	27
Amendments to Filed Reports .....	28
<b>Campaign Financial Disclosure and Related Forms</b> .....	<b>29</b>
<b>NDCC Chapter 16.1-08.1 – Campaign Contribution Statements</b> .....	<b>30</b>

## Disclosure Statement Filers

### Candidates

#### Candidate for Statewide, District, County, or City\* Offices

Identified and defined in [NDCC § 16.1-08.1-01\(3\)](#) as:

1. An individual who holds public office.
2. An individual who has publicly declared his or her candidacy for nomination for election or election to public office, or has filed or accepted a nomination for public office.
3. An individual who has formed a campaign or other committee for his or her candidacy for public office.
4. An individual who circulated a nominating petition to have his or her name placed on the ballot.
5. An individual who, in any manner, solicited or received a contribution for his or her candidacy for public office, whether before or after the election for that office.

\* **Exception:** Does not apply to cities with a resident population of less than 5,000.

### Independent Expenditure Filers

The term "independent expenditure" is defined in [NDCC § 16.1-08.1-01\(8\)](#). The following are Independent Expenditure Filers:

1. Corporations, cooperative corporations, and limited liability companies, including:
  - a. Affiliates ([NDCC § 16.1-08.1-01\(1\)](#))
  - b. Nonprofit corporations ([NDCC § 16.1-08.1-01\(5\)](#))
  - c. Subsidiaries ([NDCC § 16.1-08.1-01\(15\)](#))
2. Associations ([NDCC § 16.1-08.1-01\(2\)](#)), including:
  - a. Affiliates ([NDCC § 16.1-08.1-01\(1\)](#))
  - b. Brotherhoods
  - c. Clubs
  - d. Fraternities
  - e. Groups of two or more persons
  - f. Subsidiaries ([NDCC § 16.1-08.1-01\(15\)](#))
  - g. Trade, professional, or governmental associations
  - h. Unions (including labor unions)
3. Incidental Committees ([NDCC §§ 16.1-08.1-01\(7\) and 16.1-08.1-03.12\(1\)](#))

### Political Committees

Identified and defined in [NDCC § 16.1-08.1-01\(11\)](#)

1. Candidate committee (All candidates for statewide, judicial, or legislative offices must establish and register his or her committee. The candidate committee name may be as simple as the name of the candidate.) Also defined in [NDCC § 16.1-08.1-01\(3\)](#).
2. Incidental committee. Also defined in [NDCC § 16.1-08.1-01\(7\)](#).
3. Measure committee
4. Multicandidate political committee
5. Political Action Committee (PAC). Related definitions in [NDCC §§ 16.1-08.1-01\(1\) and 16.1-08.1-01\(15\)](#).
6. Political organization governed by Internal Revenue Code and registered with the Federal Election Commission. Also identified in [NDCC § 16.1-08.1-03.7](#).

### Political Parties

Political party is defined in [NDCC § 16.1-08.1-01\(12\)](#). Political party types are:

1. State political party.
2. District political party.

## Contribution and Expenditure Defined

### Contributions

“Contribution” as defined in [NDCC § 16.1-08.1-01\(4\)](#):

1. A gift, transfer, conveyance, provision, receipt, subscription, loan, advance, deposit of money, or anything of value\*, made for the purpose of influencing the nomination for election, or election, of any individual to public office or aiding or opposing the circulation or passage of a statewide initiative or referendum petition or measure.
2. A contract, promise, or agreement, expressed or implied, whether or not legally enforceable, to make a contribution for the above purposes.
3. Funds received by a candidate for public office or a political party or committee, which are transferred or signed over to that candidate, party, or committee from another candidate, party, or political committee or other source.

\*The term “anything of value” includes any good or service of more than a nominal value\*\*.

\*\*The term “nominal value” means the cost, price, or worth of the good or service is trivial, token, or of no appreciable value.

“Contribution” does not include:

1. A loan of money from a bank or other lending institution made in the regular course of business.
2. Time spent by volunteer campaign or political party workers.
3. Money spent by a candidate on the candidate's own behalf.
4. Money or anything of value received for commercial transactions, including rents, advertising, or sponsorships made as a part of a fair market value bargained-for exchange.
5. Money or anything of value received by a candidate in that person's personal capacity, including pursuant to a contract or agreement made for personal or private employment purposes, and not received for a political purpose or to influence the performance of that person's official duty.
6. Contributions of products or services for which the actual cost or fair market value are reimbursed by a payment of money.
7. An independent expenditure.

### Expenditures

“Expenditure” as defined in [NDCC § 16.1-08.1-01\(6\)](#) means:

1. A gift, transfer, conveyance, provision, loan, advance, payment, distribution, disbursement, outlay, or deposit of money or anything of value made for a political purpose or the purpose of influencing the passage or defeat of a measure or the nomination for election, or election, of any individual to office.
2. A contract, promise, or agreement, express or implied, whether or not legally enforceable, to make any expenditure.
3. The transfer of funds by a political committee to another political committee.
4. An independent expenditure.

“Expenditure” does not include a loan of money from a bank or other lending institution made in the regular course of business.

“Independent expenditure” as defined in [NDCC § 16.1-08.1-01\(8\)](#) means an expenditure made for a political purpose or for the purpose of influencing the passage or defeat of a measure if the expenditure is made without the express or implied consent, authorization, or cooperation of, and not in concert with or at the request or suggestion of, any candidate or a candidate committee or measure committee.

## Prohibited Contributions

According to [NDCC § 16.1-08.1-03.5\(1\)](#), a corporation, cooperative corporation, limited liability company, or association may not make a contribution for a political purpose. This means the entities named above may not make a contribution to any group organized or maintained to support any candidate for nomination or election to political office.

Corporations, cooperative corporations, and limited liability companies include:

1. Affiliates [NDCC § 16.1-08.1-01\(1\)](#)
2. Nonprofit Corporations [NDCC § 16.1-08.1-01\(5\)](#)
3. Subsidiaries [NDCC § 16.1-08.1-01\(15\)](#)

Association, defined by [NDCC § 16.1-08.1-01\(2\)](#), is a group which is united for any purpose, business, or object and which assesses any dues, membership fees, or license fees in any amount, or which maintains a treasury fund in any amount. Associations include:

1. Affiliates [NDCC § 16.1-08.1-01\(1\)](#)
2. Brotherhoods
3. Clubs
4. Fraternities
5. Groups of two or more persons
6. Subsidiaries [NDCC § 16.1-08.1-01\(15\)](#)
7. Trade, professional, or governmental associations
8. Unions (including labor unions)

## Political Committee Registration Required

A statewide, judicial, or legislative district candidate or political committee must register its name, address, agent's name and address, and a designation as to whether the committee is incorporated solely for the purpose of liability protection, with the Secretary of State each calendar year. Political committees include:

1. A candidate committee established to support an individual candidate seeking statewide, judicial district, or legislative district office, which solicits or receives contributions for political purposes.
2. An incidental committee. [NDCC § 16.1-08.1-01\(7\)](#)
3. A measure committee that solicits or receives contributions for the purpose of aiding or opposing a measure to be voted upon by the voters of the state.
4. A multicandidate political committee established to support multiple groups or slates of candidates seeking public office, which solicits or receives contributions for political purposes.
5. A political action committee derived from a corporation, cooperative corporation, limited liability company, or an association that is prohibited from making a contribution for political purposes under [NDCC § 16.1-08.1-03.5](#), and which solicits or receives contributions or makes expenditures for political purposes.
6. A political organization governed by the Internal Revenue Code and registered with the federal election commission, which solicits or receives contributions or makes expenditures for political purposes.

The registration must be submitted to the Secretary of State within 15 business days of the receipt of any contribution or expenditure of funds. [NDCC § 16.1-08.1-03.2](#)

A political committee that organizes and registers according to federal law and makes an independent expenditure or makes a disbursement in excess of \$200 to a nonfederal candidate seeking public office, a political party, or political committee in this state is not required to register its committee. [NDCC §§ 16.1-08.1-03.2 and 16.1-08.1-03.7](#)

## Candidates and Candidate Committees are the Same

### Candidate Defined

A candidate is defined as an individual who seeks nomination for election or election to public office, and includes:

1. An individual holding public (elected) office;
2. An individual who has publicly declared candidacy for nomination for election or election to public office or has filed or accepted a nomination for public office;
3. An individual who has formed a campaign or other committee for that individual's candidacy for public office;
4. An individual who has circulated a nominating petition to have his or her name placed on the ballot; and
5. An individual who has, in any manner, solicited or received a contribution for candidacy for public office, whether before or after the election for that office.

### Candidate Committee Defined

A candidate committee is defined as a committee established to support an individual candidate seeking public office that solicits or receives contributions for political purposes.

### Candidate and Candidate Committee Contribution Disclosure

For the purposes of registering as a committee and filing campaign contribution statements, a candidate and that individual's candidate committee should be thought of as one and the same. The candidate and that individual's candidate committee register jointly each year and file one contribution statement for each required reporting period. A candidate may name its candidate committee by simply using the candidate's own name.

According to [NDCC § 16.1-08.1-03.2](#), the registration required of a committee for campaign disclosure does not reserve the name for exclusive use nor does it constitute registration of a trade name under [NDCC Chapter 47-25](#). Registration of a trade name may be completed through the office of the Secretary of State. Please consult the Secretary of State's website at [www.nd.gov/sos/businessserv/registrations/tradename.html](http://www.nd.gov/sos/businessserv/registrations/tradename.html).

## Candidate Disclosure Requirements

### City Candidates – In Cities with a Population of 5,000 or More

[NDCC § 16.1-08.1-03.11](#)

1. **Pre-Election Statement:** Required of a candidate whose name appears on the ballot and candidates seeking election through write-in votes.

	Statement Coverage Dates	Filing Period	
		Earliest day to file	Last day to file
Pre-Election Statement	<b>January 1, 2014 – May 1, 2014</b>	<b>Friday, May 2, 2014</b>	<b>Friday, May 9, 2014</b>

2. **Special Election Statement:** Candidates must file a statement covering the reporting period of January 1 through 40 days before the date of the special election. It must be filed no later than 32 days before the date of the election.
3. **Year-End Statements:** Required of all individuals seeking public office by election. Also required of an individual for any year in which a contribution was received.

	Statement Coverage Dates	Filing Periods	
		Earliest day to file	Last day to file
<b>2013 Statement</b>	<b>January 1 – December 31</b>	<b>Thursday, January 2, 2014</b>	<b>Friday, January 31, 2014</b>
<b>2014 Statement</b>	<b>January 1 – December 31</b>	<b>Friday, January 2, 2015</b>	<b>Monday, February 2, 2015</b>

4. **Pre-Election and Year-End Statements Must Include:**
  - a. The name and address of each contributor whose total contributions by the end of the reporting period were greater than \$200.
  - b. The total of the contributions received from each listed contributor.
  - c. The date the last contribution was received from each listed contributor.
5. **48-Hour Supplemental Statements:** (For the 39 days before any election)
  - a. Statements must include:
    - i. The name, address, and amount received from a contributor whose total of all contributions made in the 39 days prior to an election is greater than \$500.
    - ii. The date on which the total contribution from a contributor exceeded \$500.
  - b. The statement must be filed within 48 hours of receipt of a contribution in excess of \$500 or of the date on which the total contributions received from a contributor during the 39 days prior to an election exceeded \$500.
  - c. A subsequent 48-Hour statement is required when any additional contribution is received from a contributor previously named in a 48-Hour contribution statement filed by the candidate or committee within the same 39-day reporting period.
  - d. **Note:** Contributions reported during the 39 days prior to an election are only for the contributions received from a contributor during that period of time. These 48-Hour statements are not to include contributions received from the same contributor in a prior reporting period during the election year.
  - e. 48-Hour contributions must be totaled with all other contributions from the same contributor and listed on the contribution statement for the next reporting period.
6. **All Statements** are filed with the City Auditor.
7. **Late Filing Fees** may be found on page 27.

**Form to File:**

[Campaign Contribution Disclosure Statement](#) (SFN 53970)

## County Candidate

[NDCC § 16.1-08.1-03.10](#)

1. **Pre-Election Statements:** Required of a candidate whose name appears on the ballot and candidates seeking election through write-in votes.

	Statement Coverage Dates	Filing Periods	
		Earliest day to file	Last day to file
Pre-Primary Statement	January 1, 2014 – May 1, 2014	Friday, May 2, 2014	Friday, May 9, 2014
Pre-General Statement	January 1, 2014 – September 25, 2014	Friday, September 26, 2014	Friday, October 3, 2014

2. **Special Election Statement:** Candidates must file a statement covering the reporting period of January 1 through 40 days before the date of the special election. It must be filed no later than 32 days before the date of the election.
3. **Year-End Statements:** Required of all individuals seeking public office by election. Also required of an individual for any year in which a contribution was received.

	Statement Coverage Dates	Filing Periods	
		Earliest day to file	Last day to file
2013 Statement	January 1 – December 31	Thursday, January 2, 2014	Friday, January 31, 2014
2014 Statement	January 1 – December 31	Friday, January 2, 2015	Monday, February 2, 2015

4. **Pre-Election and Year-End Statements Must Include:**
  - a. The name and address of each contributor whose total contributions by the end of the reporting period were greater than \$200.
  - b. The total of the contributions received from each listed contributor.
  - c. The date the last contribution was received from each listed contributor.
5. **48-Hour Contribution Statements:** (For the 39 days before an election)
  - a. Statements must include:
    - i. The name, address, and amount received from a contributor whose total of all contributions made in the 39 days prior to an election is greater than \$500.
    - ii. The date on which the total contribution from a contributor exceeded \$500.
  - b. The statement must be filed within 48 hours of receipt of a contribution in excess of \$500 or of the date on which the total contributions received from a contributor during the 39 days prior to an election exceeded \$500.
  - c. A subsequent 48-Hour statement is required when any additional contribution is received from a contributor previously named in a 48-Hour contribution statement filed by the candidate or committee within the same 39-day reporting period.
  - d. **Note:** Contributions reported during the 39 days prior to an election are only for the contributions received from a contributor during that period of time. These 48-Hour statements are not to include contributions received from the same contributor in a prior reporting period during the election year.
  - e. 48-Hour contributions must be totaled with all other contributions from the same contributor and listed on the contribution statement for the next reporting period.
6. **All Statements** must be filed with the County Auditor.
7. **Late Filing Fees** may be found on page 27.

### Form to File:

[Campaign Contribution Disclosure Statement](#) (SFN 53970)

## Judicial District Candidate Committee

NDCC §§ 16.1-08.1-03.9, 16.1-08.1-03.2, and 16.1-08.1-04

1. **Pre-Election Statements:** Required of a candidate whose name appears on the ballot and candidates seeking election through write-in votes.

	Statement Coverage Dates	Filing Periods	
		Earliest day to file	Last day to file
Pre-Primary Statement	January 1, 2014 – May 1, 2014	Friday, May 2, 2014	Friday, May 9, 2014
Pre-General Statement	January 1, 2014 – September 25, 2014	Friday, September 26, 2014	Friday, October 3, 2014

2. **Special Election Statement:** Candidates must file a statement covering the reporting period of January 1 through 40 days before the date of the special election. It must be filed no later than 32 days before the date of the election.
3. **Year-End Statements:** Required of all individuals seeking public office by election. Also required each year from an individual holding a public office.

	Statement Coverage Dates	Filing Periods	
		Earliest day to file	Last day to file
2013 Statement	January 1 – December 31	Thursday, January 2, 2014	Friday, January 31, 2014
2014 Statement	January 1 – December 31	Thursday, January 1, 2015	Saturday, January 31, 2015

4. **Pre-Election and Year-End Statements Must Include:**
  - a. The balance of the filer's account at the start of the reporting period.
  - b. The name and address of each contributor whose total contributions by the end of the reporting period were greater than \$200.
  - c. The total of the contributions received from each listed contributor.
  - d. The date the last contribution was received from each listed contributor.
  - e. The total of all contributions received in excess of \$200.
  - f. The total of all contributions received of \$200 or less.
  - g. The balance of the filer's account at the close of the reporting period.
5. **48-Hour Contribution Statements:** (For the 39 days before any election)
  - a. Statements must include:
    - i. The name, address, and amount received from a contributor whose total of all contributions made in the 39 days prior to an election is greater than \$500.
    - ii. The date on which the total contribution from a contributor exceeded \$500.
  - b. The statement must be filed within 48 hours of receipt of a contribution in excess of \$500 or of the date on which the total contributions received from a contributor during the 39 days prior to an election exceeded \$500.
  - c. A subsequent 48-Hour statement is required when any additional contribution is received from a contributor previously named in a 48-Hour contribution statement filed by the candidate or committee within the same 39-day reporting period.
  - d. **Note:** Contributions reported during the 39 days prior to an election are only for the contributions received from a contributor during that period of time. These 48-Hour statements are not to include contributions received from the same contributor in a prior reporting period during the election year.
  - e. 48-Hour contributions must be totaled with all other contributions from the same contributor and listed on the contribution statement for the next reporting period.

6. **All Statements** must be filed with the Secretary of State.
7. **Late Filing Fees** may be found on page 27.

**Forms to File:**

- [Political Committee Registration Form](#) (SFN 17909)
- [Campaign Contribution Disclosure Form](#) (SFN 58687)
- Online Reporting System: Under Construction

**Legislative Assembly Members and Legislative Candidates**

[NDCC §§ 16.1-08.1-02, 16.1-08.1-03.2, and 16.1-08.1-04](#)

1. **Pre-Election Statements:** Required of a candidate whose name appears on the ballot and candidates seeking election through write-in votes.

	Statement Coverage Dates	Filing Periods	
		Earliest day to file	Last day to file
Pre-Primary Statement	January 1, 2014 – May 1, 2014	Friday, May 2, 2014	Friday, May 9, 2014
Pre-General Statement	January 1, 2014 – September 25, 2014	Friday, September 26, 2014	Friday, October 3, 2014

2. **Special Election Statement:** Candidates must file a statement covering the reporting period of January 1 through 40 days before the date of the special election. It must be filed no later than 32 days before the date of the election.
3. **Year-End Statements:** Required of all individuals seeking public office by election. Also required each year from an individual holding a public office.

	Statement Coverage Dates	Filing Periods	
		Earliest day to file	Last day to file
2013 Statement	January 1 – December 31	Thursday, January 2, 2014	Friday, January 31, 2014
2014 Statement	January 1 – December 31	Thursday, January 1, 2015	Saturday, January 31, 2015

4. **Pre-Election and Year-End Statements Must Include:**
  - a. The name and address of each contributor whose total contributions by the end of any applicable reporting period were greater than \$200.
  - b. The total of the contributions received from each listed contributor.
  - c. The date the last contribution was received from each listed contributor.
  - d. The occupation, employer, and principal place of business of each contributor whose total contributions in the reporting period were \$5,000 or more.
5. **48-Hour Contribution Statements:** (For the 39 days before any election)
  - a. Statements must include:
    - i. The name, address, and amount received from a contributor whose total of all contributions made in the 39 days prior to an election is greater than \$500.
    - ii. The date on which the total contribution from a contributor exceeded \$500.
    - iii. The occupation, employer, and principal place of business of each contributor whose total contributions for the 39-day period were \$5,000 or more.
  - b. The statement must be filed within 48 hours of receipt of a contribution in excess of \$500 or of the date on which the total contributions received from a contributor during the 39 days prior to an election exceeded \$500.

- c. A subsequent 48-Hour statement is required when any additional contribution is received from a contributor previously named in a 48-Hour contribution statement filed by the candidate or committee within the same 39-day reporting period.
  - d. **Note:** Contributions reported during the 39 days prior to an election are only for the contributions received from a contributor during that period of time. These 48-Hour statements are not to include contributions received from the same contributor in a prior reporting period during the election year.
  - e. 48-Hour contributions must be totaled with all other contributions from the same contributor and listed on the contribution statement for the next reporting period.
6. **All Statements** must be filed with the Secretary of State.
7. **Late Filing Fees** may be found on page 27.

**Forms to File:**

[Political Committee Registration Form](#) (SFN 17909)  
[Campaign Contribution Disclosure Form](#) (SFN 53966)  
 Online Reporting System: Under Construction

**Statewide Officeholders, Candidates, and Candidate Committees**

[NDCC §§ 16.1-08.1-02, 16.1-08.1-03.2, and 16.1-08.1-04](#)

1. **Pre-Election Statements:** Required of a candidate whose name appears on the ballot and candidates seeking election through write-in votes.

	Statement Coverage Dates	Filing Periods	
		Earliest day to file	Last day to file
Pre-Primary Statement	January 1, 2014 – May 1, 2014	Friday, May 2, 2014	Friday, May 9, 2014
Pre-General Statement	January 1, 2014 – September 25, 2014	Friday, September 26, 2014	Friday, October 3, 2014

2. **Special Election Statement:** Candidates must file a statement covering the reporting period of January 1 through 40 days before the date of the special election. It must be filed no later than 32 days before the date of the election.
3. **Year-End Statements:** Required of all individuals seeking public office by election. Also required each year from an individual holding a public office.

	Statement Coverage Dates	Filing Periods	
		Earliest day to file	Last day to file
2013 Statement	January 1 – December 31	Thursday, January 2, 2014	Friday, January 31, 2014
2014 Statement	January 1 – December 31	Thursday, January 1, 2015	Saturday, January 31, 2015

4. **Pre-Election and Year-End Statements Must Include:**

- a. The balance of the filer's account at the start of the reporting period.
- b. The name and address of each contributor whose total contributions by the end of the reporting period were greater than \$200.
- c. The total of the contributions received from each listed contributor.
- d. The date the last contribution was received from each listed contributor.
- e. The total of all contributions received in excess of \$200.
- f. The total of all contributions received of \$200 or less.
- g. The occupation, employer, and principal place of business of each contributor whose total contributions in the reporting period were \$5,000 or more.

- h. The balance of the filer's account at close of the reporting period.
- 5. **48-Hour Contribution Statements:** (For the 39 days before any election)
  - a. Statements must include:
    - i. The name, address, and amount received from a contributor whose total of all contributions made in the 39 days prior to an election is greater than \$500.
    - ii. The date on which the total contribution from a contributor exceeded \$500.
    - iii. The occupation, employer, and principal place of business of each contributor whose total contributions for the 39-day period were \$5,000 or more.
  - b. The statement must be filed within 48 hours of receipt of a contribution in excess of \$500 or of the date on which the total contributions received from a contributor during the 39 days prior to an election exceeded \$500.
  - c. A subsequent 48-Hour statement is required when any additional contribution is received from a contributor previously named in a 48-Hour contribution statement filed by the candidate or committee within the same 39-day reporting period.
  - d. **Note:** Contributions reported during the 39 days prior to an election are only for the contributions received from a contributor during that period of time. These 48-Hour statements are not to include contributions received from the same contributor in a prior reporting period during the election year.
  - e. 48-Hour contributions must be totaled with all other contributions from the same contributor and listed on the contribution statement for the next reporting period.
- 6. **All Statements** must be filed with the Secretary of State.
- 7. **Late Filing Fees** may be found on page 27.

**Forms to File:**

[Political Committee Registration Form](#) (SFN 17909)

[Campaign Contribution Disclosure Form](#) (SFN 53967)

Online Reporting System: Under Construction

# Independent Expenditure Disclosure Requirements

## Independent Expenditure Filers Identified

1. Corporations, cooperative corporations, and limited liability companies, including:
  - a. Nonprofit corporations [NDCC § 16.1-08.1-01\(5\)](#)
  - b. Affiliates [NDCC § 16.1-08.1-01\(1\)](#)
  - c. Subsidiaries [NDCC § 16.1-08.1-01\(15\)](#)
2. Associations [NDCC § 16.1-08.1-01\(2\)](#) including:
  - a. Affiliates [NDCC § 16.1-08.1-01\(1\)](#)
  - b. Brotherhoods
  - c. Clubs
  - d. Fraternities
  - e. Groups of any kind of two or more persons
  - f. Subsidiaries [NDCC § 16.1-08.1-01\(15\)](#)
  - g. Trade, professional, or governmental associations
  - h. Unions (including labor unions)
3. Incidental committees [NDCC §§ 16.1-08.1-01\(7\) and 16.1-08.1-03.12\(1\)](#)

## Independent Expenditure Defined

An independent expenditure is defined in [NDCC 16.1-08.1-01\(8\)](#) as an expenditure made for a political purpose or for the purpose of influencing the passage or defeat of a measure if the expenditure is made without the express or implied consent, authorization, or cooperation of, and not in concert with or at the request or suggestion of, any candidate or a candidate committee or measure committee.

## Independent Expenditure Disclosure Requirements

### [NDCC § 16.1-08.1-03.5\(3\)](#)

A corporation, cooperative corporation, limited liability company, or association (hereafter referred to as “**Entity**”) may contribute to a measure committee or any person making an independent expenditure or may make an independent expenditure. The statement to be filed within 48 hours of making the contribution or independent expenditure is to include:

1. The full name of the “**Entity**.”
2. The complete address of the “**Entity**.”
3. The name of the recipient of the contribution or independent expenditure.
4. If the contribution or independent expenditure is related to a measure, the title of the measure and whether the contribution or independent expenditure is made in support of or opposition to the measure.
5. If the contribution or independent expenditure is related to a measure, the election date on which the measure either will appear or did appear on the ballot.
6. The amount of the contribution or independent expenditure.
7. The total amount of contributions and independent expenditures since the beginning of the calendar year, which are required to be reported under [NDCC § 16.1-08.1-03.5\(3\)](#).
8. The telephone number, printed name, and signature of the individual completing the report, attesting to the statement being true, complete, and correct.
9. The date on which the statement was signed.

**All Statements** must be filed with the Secretary of State.

**Late Filing Fees** may be found on page 27.

### **Form to File:**

[Independent Expenditure Disclosure Form](#) (SFN 60510)  
Online Reporting System: Under Construction

## Political Committee Types

Identified and defined in [NDCC § 16.1-08.1-01\(11\)](#)

1. Political Action Committee (PAC). Related definitions in [NDCC §§ 16.1-08.1-01\(1\) and 16.1-08.1-01\(15\)](#).
2. Candidate Committee (All candidates for statewide, judicial, or legislative offices must establish and register his or her committee. The candidate committee name may be as simple as the name of the candidate.) Also defined in [NDCC § 16.1-08.1-01\(3\)](#).
3. Political Organization (Governed by Internal Revenue Code and registered with the Federal Election Commission.) Also identified in [NDCC § 16.1-08.1-03.7](#).
4. Multicandidate Political Committee
5. Measure Committee
6. Incidental Committee. Defined in [NDCC § 16.1-08.1-01\(7\)](#).

## Political Committee Disclosure Requirements

### Incidental Committees

An incidental committee is defined by [NDCC § 16.1-08.1-01\(7\)](#) as a committee, club, association, or other group of persons making contributions or expenditures, but for which making contributions or expenditures for political purposes is not its primary purpose.

Incidental committees must file two different types of statements:

#### Independent Expenditure Statement

[NDCC § 16.1-08.1-03.12\(1\)](#)

An incidental committee or political committee not otherwise covered by [NDCC Chapter 16.1-08.1](#) may contribute to a measure committee or any person making an independent expenditure or may make an independent expenditure. The statement to be filed within 48 hours of making the contribution or independent expenditure is to include:

1. The full name of the incidental or political committee.
2. The complete address of the incidental or political committee.
3. The name of the recipient of the contribution or independent expenditure.
4. If the contribution or independent expenditure is related to a measure, the title of the measure and whether the contribution or independent expenditure is made in support of or opposition to the measure.
5. If the contribution or independent expenditure is related to a measure, the election date on which the measure appeared or will appear on the ballot.
6. The amount of the contribution or independent expenditure.
7. The total of contributions and independent expenditures since the beginning of the calendar year made to recipients in this state.
8. The telephone number, printed name, and signature of the individual completing the report, attesting to the statement being true, complete, and correct.
9. The date on which the statement was signed.

**All Statements** must be filed with the Secretary of State.

**Late Filing Fees** may be found on page 27.

#### Forms to File:

[Political Committee Registration Form](#) (SFN 17909)

[Independent Expenditure Disclosure Form](#) (SFN 60509)

Online Reporting System: Under Construction

## Election Related Statements

### [NDCC § 16.1-08.1-03.12\(2\)](#)

1. **Pre-Election Statements:** Required of an incidental committee soliciting or accepting contributions for any political purpose.

	Statement Coverage Dates	Filing Periods	
		Earliest day to file	Last day to file
Pre-Primary Statement	January 1, 2014 – May 1, 2014	Friday, May 2, 2014	Friday, May 9, 2014
Pre-General Statement	January 1, 2014 – September 25, 2014	Friday, September 26, 2014	Friday, October 3, 2014

2. **Special Election Statement:** Incidental committees must file a statement covering the reporting period of January 1 through 40 days before the date of the special election. It must be filed no later than 32 days before the date of the election.
3. **Year-End Statements:** Required of an incidental committee soliciting or accepting contributions for any political purpose and even if no contributions are received.

	Statement Coverage Dates	Filing Periods	
		Earliest day to file	Last day to file
2013 Statement	January 1 – December 31	Thursday, January 2, 2014	Friday, January 31, 2014
2014 Statement	January 1 – December 31	Thursday, January 1, 2015	Saturday, January 31, 2015

4. **Pre-Election and Year-End Statements Must Include:**
  - a. The balance of the filer's account at the start of the reporting period.
  - b. The name and address of each contributor whose total contributions by the end of the reporting period were greater than \$200.
  - c. The total of the contributions received from each listed contributor.
  - d. The date the last contribution was received from each listed contributor.
  - e. The total of all contributions received in excess of \$200.
  - f. The total of all contributions received of \$200 or less.
  - g. The occupation, employer, and principal place of business of each contributor whose total contributions in the reporting period were \$5,000 or more.
  - h. The balance of the filer's account at the close of the reporting period.
5. **48-Hour Contribution Statements:** (For the 39 days before any election)
  - a. Statements must include:
    - i. The name, address, and amount received from a contributor whose total of all contributions made in the 39 days prior to an election is greater than \$500.
    - ii. The date on which the total contribution from a contributor exceeded \$500.
    - iii. The occupation, employer, and principal place of business of each contributor whose total contributions for the 39-day period were \$5,000 or more.
  - b. The statement must be filed within 48 hours of receipt of a contribution in excess of \$500 or of the date on which the total contributions received from a contributor during the 39 days prior to an election exceeded \$500.
  - c. A subsequent 48-Hour statement is required when any additional contribution is received from a contributor previously named in a 48-Hour contribution statement filed by the committee within the same 39-day reporting period.
  - d. **Note:** Contributions reported during the 39 days prior to an election are only for the contributions received from a contributor during that period of time. These

48-Hour statements are not to include contributions received from the same contributor in a prior reporting period during the election year.

- e. 48-Hour contributions must be totaled with all other contributions from the same contributor and listed on the contribution statement for the next reporting period.
- 6. **All Statements** must be filed with the Secretary of State.
- 7. **Late Filing Fees** may be found on page 27.

**Forms to File:**

[Political Committee Registration Form](#) (SFN 17909)

[Incidental Committee Disclosure Form](#) (SFN 60508)

Online Reporting System: Under Construction

**Measure Committees**

[NDCC §§ 16.1-08.1-03.1, 16.1-08.1-03.2, and 16.1-08.1-04](#)

A measure committee is a committee or person soliciting or receiving contributions for the purpose of aiding or opposing a measure to be voted upon by the voters of the state.

- 1. **Pre-Election Statements:** A measure committee must file either a pre-primary or a pre-general election statement, depending on the election in which the question will be decided by the voters.

	Statement Coverage Dates	Filing Periods	
		Earliest day to file	Last day to file
Pre-Primary Statement	<b>January 1, 2014 – May 1, 2014</b>	<b>Friday, May 2, 2014</b>	<b>Friday, May 9, 2014</b>
Pre-General Statement	<b>January 1, 2014 – September 25, 2014</b>	<b>Friday, September 26, 2014</b>	<b>Friday, October 3, 2014</b>

- 2. **Special Election Statement:** Measure committees must file a statement covering the reporting period of January 1 through 40 days before the date of the special election. It must be filed no later than 32 days before the date of the election.
- 3. **Year-End Statements:** Required of a measure committee or person soliciting or accepting contributions for the purpose of aiding or opposing the circulation or passage or defeat of an initiated or referred measure. The statement for the calendar year must be filed whether or not any contributions were received.

	Statement Coverage Dates	Filing Periods	
		Earliest day to file	Last day to file
<b>2013</b> Statement	<b>January 1 – December 31</b>	<b>Thursday, January 2, 2014</b>	<b>Friday, January 31, 2014</b>
<b>2014</b> Statement	<b>January 1 – December 31</b>	<b>Thursday, January 1, 2015</b>	<b>Saturday, January 31, 2015</b>

- 4. **Pre-Election and Year-End Statements Must Include: Contributions:**

- a. The balance of the filer’s account at the start of the reporting period.
- b. The name and address of each contributor whose total contributions by the end of the reporting period were greater than \$100.
- c. The total of the contributions received from each listed contributor.
- d. The date the last contribution was received from each listed contributor.
- e. For contributions over \$100, received from a person who does not live in the state or from an out of state political committee, the statement must include:

- i. A certified statement from the contributor listing the name, address, occupation, employer, and principal place of business for each individual who contributed more than \$100 of the contribution.
- ii. An indication if no person contributed more than \$100 to the contribution.
- f. The total of all contributions of \$100 or less.
- g. The total of all contributions in excess of \$100.

**Expenditures:**

- a. The name and address of each recipient of expenditures exceeding \$100.
  - b. The amount of the expenditures made to each listed recipient.
  - c. The date the last expenditure was made to each listed recipient.
  - d. The total of all expenditures made in excess of \$100 in the reporting period.
  - e. The total of all expenditures made of \$100 or less in the reporting period.
  - f. The balance of the filer's account at the close of the reporting period.
5. **48-Hour Contribution Statements:** (For the 39 days before any election)
- a. Statements must include:
    - i. The name, address, and amount received from a contributor whose total of all contributions made in the 39 days prior to an election is greater than \$500.
    - ii. The date on which the total contribution from a contributor exceeded \$500.
    - iii. The same certified statement as required for pre-election and year-end statements for contributions from a person who does not live in the state or an out of state political committee in excess of \$100.
  - b. The statement must be filed within 48 hours of receipt of a contribution in excess of \$500 or of the date on which the total contributions received from a contributor during the 39 days prior to an election exceeded \$500.
  - c. A subsequent 48-Hour statement is required when any additional contribution is received from a contributor previously named in a 48-Hour contribution statement filed by the committee within the same 39-day reporting period.
  - d. **Note:** Contributions reported during the 39 days prior to an election are only for the contributions received from a contributor during that period of time. These 48-Hour statements are not to include contributions received from the same contributor in a prior reporting period during the election year.
  - e. 48-Hour contributions must be totaled with all other contributions from the same contributor and listed on the contribution statement for the next reporting period.
6. **All Statements** must be filed with the Secretary of State.
7. **Late Filing Fees** may be found on page 27.

**Forms to File:**

- [Political Committee Registration Form](#) (SFN 17909)
- [Campaign Contribution Disclosure Form](#) (SFN 53973)
- Online Reporting System: Under Construction

## Multicandidate Committee

[NDCC §§ 16.1-08.1-03.2, 16.1-08.1-03.8, and 16.1-08.1-04](#)

A multicandidate committee is defined as a political committee, established to support multiple groups or slates of candidates seeking public office that solicits or receives contributions for political purposes.

1. **Pre-Election Statements:** Required of a multicandidate committee whether or not reportable contributions were received.

	Statement Coverage Dates	Filing Periods	
		Earliest day to file	Last day to file
Pre-Primary Statement	January 1, 2014 – May 1, 2014	Friday, May 2, 2014	Friday, May 9, 2014
Pre-General Statement	January 1, 2014 – September 25, 2014	Friday, September 26, 2014	Friday, October 3, 2014

2. **Special Election Statement:** Committees must file a statement covering the reporting period of January 1 through 40 days before the date of the special election. It must be filed no later than 32 days before the date of the election.
3. **Year-End Statements:** Required of a multicandidate committee whether or not reportable contributions were received.

	Statement Coverage Dates	Filing Periods	
		Earliest day to file	Last day to file
2013 Statement	January 1 – December 31	Thursday, January 2, 2014	Friday, January 31, 2014
2014 Statement	January 1 – December 31	Thursday, January 1, 2015	Saturday, January 31, 2015

4. **Pre-Election and Year-End Statements Must Include:**
  - a. The balance of the filer's account at the start of the reporting period.
  - b. The name and address of each contributor whose total contributions by the end of the reporting period were greater than \$200.
  - c. The total of the contributions received from each listed contributor.
  - d. The date the last contribution was received from each listed contributor.
  - e. The total of all contributions received in excess of \$200.
  - f. The total of all contributions received of \$200 or less.
  - g. The occupation, employer, and principal place of business of each contributor whose total contributions in the reporting period were \$5,000 or more.
  - h. The balance the filer's account at the close of the reporting period.
5. **48-Hour Contribution Statements:** (For the 39 days before any election)
  - a. Statements must include:
    - i. The name, address, and amount received from a contributor whose total of all contributions made in the 39 days prior to an election is greater than \$500.
    - ii. The date on which the total contribution from a contributor exceeded \$500.
    - iii. The occupation, employer, and principal place of business of each contributor whose total contributions for the 39-day period were \$5,000 or more.
  - b. The statement must be filed within 48 hours of receipt of a contribution in excess of \$500 or of the date on which the total contributions received from a contributor during the 39 days prior to an election exceeded \$500.

- c. A subsequent 48-Hour statement is required when any additional contribution is received from a contributor previously named in a 48-Hour contribution statement filed by the committee within the same 39-day reporting period.
  - d. **Note:** Contributions reported during the 39 days prior to an election are only for the contributions received from a contributor during that period of time. These 48-Hour statements are not to include contributions received from the same contributor in a prior reporting period during the election year.
  - e. 48-Hour contributions must be totaled with all other contributions from the same contributor and listed on the contribution statement for the next reporting period.
6. **All Statements** must be filed with the Secretary of State.
  7. **Late Filing Fees** may be found on page 27.

**Forms to File:**

- [Political Committee Registration Form](#) (SFN 17909)
- [Campaign Contribution Disclosure Form](#) (SFN 11520)
- Online Reporting System: Under Construction

**Political Action Committee (PAC)**

[NDCC §§ 16.1-08.1-03.2, 16.1-08.1-03.3\(3\), and 16.1-08.1-04](#)

A political action committee may be established by a corporation, cooperative corporation, limited liability company, or an association to solicit or receive contributions or make expenditures for political purposes.

1. **Pre-Election Statements:** Required of a PAC whether or not reportable contributions were received.

	Statement Coverage Dates	Filing Periods	
		Earliest day to file	Last day to file
Pre-Primary Statement	<b>January 1, 2014 – May 1, 2014</b>	<b>Friday, May 2, 2014</b>	<b>Friday, May 9, 2014</b>
Pre-General Statement	<b>January 1, 2014 – September 25, 2014</b>	<b>Friday, September 26, 2014</b>	<b>Friday, October 3, 2014</b>

2. **Special Election Statement:** Committees must file a statement covering the reporting period of January 1 through 40 days before the date of the special election. It must be filed no later than 32 days before the date of the election.
3. **Year-End Statements:** Required of a PAC whether or not reportable contributions were received.

	Statement Coverage Dates	Filing Periods	
		Earliest day to file	Last day to file
<b>2013 Statement</b>	<b>January 1 – December 31</b>	<b>Thursday, January 2, 2014</b>	<b>Friday, January 31, 2014</b>
<b>2014 Statement</b>	<b>January 1 – December 31</b>	<b>Thursday, January 1, 2015</b>	<b>Saturday, January 31, 2015</b>

4. **Pre-Election and Year-End Statements Must Include: Contributions**

- a. The balance of the filer's account at the start of the reporting period.
- b. The name and address of each contributor whose total contributions by the end of the reporting period were greater than \$200.
- c. The total of the contributions received from each listed contributor.

- d. The date the last contribution was received from each listed contributor.
- e. The total of all contributions received in excess of \$200.
- f. The total of all contributions received of \$200 or less.
- g. The occupation, employer, and principal place of business of each contributor whose total contributions in the reporting period were \$5,000 or more.

### **Expenditures**

- a. The name and address of each recipient of expenditures exceeding \$200.
  - b. The total of expenditures made to each listed recipient.
  - c. The date of the last expenditure made to each listed recipient.
  - d. The total of all expenditures made exceeding \$200 in the reporting period.
  - e. The total of all expenditures made of \$200 or less in the reporting period.
  - f. The balance of the filer's account at the close of the reporting period.
5. **48-Hour Contribution Statements:** (For the 39 days before any election)
- a. Statements must include:
    - i. The name, address, and amount received from a contributor whose total of all contributions made in the 39 days prior to an election is greater than \$500.
    - ii. The date on which the total contribution from a contributor exceeded \$500.
    - iii. The occupation, employer, and principal place of business of each contributor whose total contributions for the 39-day period were \$5,000 or more.
  - b. The statement must be filed within 48 hours of receipt of a contribution in excess of \$500 or of the date on which the total contributions received from a contributor during the 39 days prior to an election exceeded \$500.
  - c. A subsequent 48-Hour statement is required when any additional contribution is received from a contributor previously named in a 48-Hour contribution statement filed by the committee within the same 39-day reporting period.
  - d. **Note:** Contributions reported during the 39 days prior to an election are only for the contributions received from a contributor during that period of time. These 48-Hour statements are not to include contributions received from the same contributor in a prior reporting period during the election year.
  - e. 48-Hour contributions must be totaled with all other contributions from the same contributor and listed on the contribution statement for the next reporting period.
6. **All Statements** must be filed with the Secretary of State.
7. **Late Filing Fees** may be found on page 27.

### **Forms to File:**

- [Political Committee Registration Form](#) (SFN 17909)
  - [Campaign Contribution Disclosure Form](#) (SFN 53969)
- Online Reporting System: Under Construction

## Political Party Disclosure Requirements

Political party is defined as any association, committee, or organization which nominates a candidate for election to any office which may be filled by a vote of the electors of this state or any of its political subdivisions and whose name appears on the election ballot as the candidate of such association, committee, or organization.

### District Political Party

[NDCC §§ 16.1-08.1-03 and 16.1-08.1-04](#)

1. **Pre-Election Statements:** Required of a district political party whether or not reportable contributions were received.

	Statement Coverage Dates	Filing Periods	
		Earliest day to file	Last day to file
Pre-Primary Statement	<b>January 1, 2014 – May 1, 2014</b>	<b>Friday, May 2, 2014</b>	<b>Friday, May 9, 2014</b>
Pre-General Statement	<b>January 1, 2014 – September 25, 2014</b>	<b>Friday, September 26, 2014</b>	<b>Friday, October 3, 2014</b>

2. **Special Election Statement:** A district political party must file a statement covering the reporting period of January 1 through 40 days before the date of the special election. It must be filed no later than 32 days before the date of the election.
3. **Year-End Statements:** Required of a district political party whether or not reportable contributions were received.

	Statement Coverage Dates	Filing Periods	
		Earliest day to file	Last day to file
<b>2013 Statement</b>	<b>January 1 – December 31</b>	<b>Thursday, January 2, 2014</b>	<b>Friday, January 31, 2014</b>
<b>2014 Statement</b>	<b>January 1 – December 31</b>	<b>Thursday, January 1, 2015</b>	<b>Saturday, January 31, 2015</b>

4. **Pre-Election and Year-End Statements Must Include:**
  - a. The name and address of each contributor whose total contributions by the end of the reporting period were greater than \$200.
  - b. The total of the contributions received from each listed contributor.
  - c. The date the last contribution was received from each listed contributor.
  - d. The occupation, employer, and principal place of business of each contributor whose total contributions in the reporting period were \$5,000 or more.
5. **48-Hour Contribution Statements:** (For the 39 days before any election)
  - a. Statements must include:
    - i. The name, address, and amount received from a contributor whose total of all contributions made in the 39 days prior to an election is greater than \$500.
    - ii. The date on which the total contribution from a contributor exceeded \$500.
    - iii. The occupation, employer, and principal place of business of each contributor whose total contributions for the 39-day period were \$5,000 or more.
  - b. The statement must be filed within 48 hours of receipt of a contribution in excess of \$500 or of the date on which the total contributions received from a contributor during the 39 days prior to an election exceeded \$500.

- c. A subsequent 48-Hour statement is required when any additional contribution is received from a contributor previously named in a 48-Hour contribution statement filed by the district political party within the same 39-day reporting period.
  - d. **Note:** Contributions reported during the 39 days prior to an election are only for the contributions received from a contributor during that period of time. These 48-Hour statements are not to include contributions received from the same contributor in a prior reporting period during the election year.
  - e. 48-Hour contributions must be totaled with all other contributions from the same contributor and listed on the contribution statement for the next reporting period.
6. **All Statements** must be filed with the Secretary of State.
  7. **Late Filing Fees** may be found on page 27.

**Form to File:**

[Campaign Contribution Disclosure Form](#) (SFN 53971)

Online Reporting System: Under Construction

**State Political Party – Contribution and Expenditure Statement**

[NDCC §§ 16.1-08.1-03 and 16.1-08.1-04](#)

1. **Pre-Election Statements:** Required of a state political party whether or not reportable contributions were received.

	Statement Coverage Dates	Filing Periods	
		Earliest day to file	Last day to file
Pre-Primary Statement	January 1, 2014 – May 1, 2014	Friday, May 2, 2014	Friday, May 9, 2014
Pre-General Statement	January 1, 2014 – September 25, 2014	Friday, September 26, 2014	Friday, October 3, 2014

2. **Special Election Statement:** A state political party must file a statement covering the reporting period of January 1 through 40 days before the date of the special election. It must be filed no later than 32 days before the date of the election.
3. **Year-End Statements:** Required of a state political party whether or not reportable contributions were received.

	Statement Coverage Dates	Filing Periods	
		Earliest day to file	Last day to file
2013 Statement	January 1 – December 31	Thursday, January 2, 2014	Friday, January 31, 2014
2014 Statement	January 1 – December 31	Thursday, January 1, 2015	Saturday, January 31, 2015

4. **Pre-Election and Year-End Statements Must Include: Contributions**

- a. The balance of the filer’s account at the start of the reporting period.
- b. The name and address of each contributor whose total contributions by the end of the reporting period were greater than \$200.
- c. The total of the contributions received from each listed contributor.
- d. The date the last contribution was received from each listed contributor.
- e. The total of all contributions received in excess of \$200.
- f. The total of all contributions received of \$200 or less.
- g. The occupation, employer, and principal place of business of each contributor whose total contributions in the reporting period were \$5,000 or more.

## Expenditures

- a. The name and address of each recipient of expenditures exceeding \$200.
  - b. The total of expenditures made to each listed recipient.
  - c. The date of the last expenditure made to each listed recipient.
  - d. The total of all expenditures made in excess of \$200 in the reporting period.
  - e. The total of all expenditures made of \$200 or less in the reporting period.
  - f. The balance of the filer's account at the close of the reporting period.
5. **48-Hour Contribution Statement:** (For the 39 days before any election)
- a. Statements must include:
    - i. The name, address, and amount received from a contributor whose total of all contributions made in the 39 days prior to an election is greater than \$500.
    - ii. The date on which the total contribution from a contributor exceeded \$500.
    - iii. The occupation, employer, and principal place of business of each contributor whose total contributions for the 39-day period were \$5,000 or more.
  - b. The statement must be filed within 48 hours of receipt of a contribution in excess of \$500 or of the date on which the total contributions received from a contributor during the 39 days prior to an election exceeded \$500.
  - c. A subsequent 48-Hour statement is required when any additional contribution is received from a contributor previously named in a 48-Hour contribution statement filed by the state political party within the same 39-day reporting period.
  - d. **Note:** Contributions reported during the 39 days prior to an election are only for the contributions received from a contributor during that period of time. These 48-Hour statements are not to include contributions received from the same contributor in a prior reporting period during the election year.
  - e. 48-Hour contributions must be totaled with all other contributions from the same contributor and listed on the contribution statement for the next reporting period.
6. **All Statements** must be filed with the Secretary of State.
7. **Late Filing Fees** may be found on page 27.

### Form to File:

[Campaign Contribution Disclosure Form](#) (SFN 53972)

Online Reporting System: Under Construction

## State Political Party – Building Fund

### [NDCC § 16.1-08.1-03.5\(2\)](#)

A state political party or nonprofit entity affiliated with or under the control of the party may accept a donation of property or money from a corporation, cooperative corporation, limited liability company, or association for deposit into a separate and segregated fund to be used exclusively for purchasing, maintaining, or renovating a building and for the purchase of fixtures for the building.

### Year-End Statement Must Include:

#### Donations

- a. The balance of the filer's account at the start of the reporting period.
- b. The name and address of each donor.
- c. The amount of each donation.
- d. The date each donation was received.
- e. The amount of income or financial gain generated from a building purchased, maintained, or renovated from the donations.

#### Expenditures

- a. All expenditures made from the fund during the reporting period.
- b. The balance of the filer's account at the close of the reporting period.

**All Statements** must be filed with the Secretary of State by January 31.

**Late Filing Fees** may be found on page 27.

**Form to File:**

[Building Fund Statement Form](#) (SFN 53965)

Online Reporting System: Under Construction

**State Political Party Nominating Conventions**

[NDCC § 16.1-08.1-02.1](#)

1. **Separate Accounts** are required for the management of their nominating conventions. All revenue and expenditures for planning and running the state nominating convention must be tracked through these separate accounts.
2. **Post-Convention and Year-End Statements Filing Deadlines:**
  - a. Post-Convention – 60 days after the state nominating convention
  - b. Year-End – January 31 even if no revenue was received or expenditures made
3. **Reporting Periods:**
  - a. Post-Convention – January 1 through the date 30 days after the convention
  - b. Year-End Statement – January 1 through December 31 of a calendar year
4. **The Statements Must Include:**

**Revenue**

  - a. The starting balance of the filer's convention accounts for the reporting period.
  - b. The name and address of each person or group from whom the total revenue received by the end of the reporting period was greater than \$200.
  - c. The date of the most recent receipt of revenue from each person or group.
  - d. The purpose or purposes for which the revenue total was received.
  - e. The total of all revenue received from each listed person or group.
  - f. The total of revenue received from any person or group less than \$200.
  - g. The occupation, employer, and principal place of business of each person from whom the total revenue received during the reporting period was \$5,000 or more.

**Expenditures**

  - a. The name and address of each recipient of expenditures exceeding \$200.
  - b. The total of expenditures made to each listed recipient.
  - c. The date of the last expenditure made to each listed recipient.
  - d. The purpose or purposes for which the expenditure total was disbursed.
  - e. The total of expenditures made exceeding \$200 in the reporting period.
  - f. The total of expenditures made of \$200 or less in the reporting period.
  - g. The ending balance of the filer's convention accounts for the reporting period.
5. **Net Gains** transferred to the political party accounts established for the support of candidates must be reported as a contribution on the state political party's campaign contribution and expenditure statement.
6. **Net Losses** covered by the political party accounts established for the support of candidates must be reported as an expenditure on the state political party's campaign contribution and expenditure statement.
7. **All Statements** must be filed with the Secretary of State.
8. **Late Filing Fees** may be found on page 27.

**Form to File:**

[State Political Party Convention Statement Form](#) (SFN 58715)

Online Reporting System: Under Construction

## Sponsoring Committees

### Sponsoring Committees for Initiated or Referred Measures

[NDCC § 16.1-08.1-03.13](#)

A sponsoring committee for an initiated or referred measure is identified in the North Dakota Constitution and Century Code as the committee of 25 or more electors responsible for preparing a petition, seeking the approval of the Secretary of State for circulation of the petition, supervising the circulation of the petition for the gathering of signatures, and submitting the signed petitions to the Secretary of State for review and possible inclusion of the initiated or referred measure on a ballot in an upcoming statewide election.

Sponsoring committees must file statements at the following times:

1. **Petition Drafting:** When the sponsoring committee submits a petition to the Secretary of State to request approval to circulate the petition, the committee shall submit a statement disclosing the contributions received and expenditures made for the purpose of drafting the petition.
2. **Petition Circulation:** When the sponsoring committee submits the signed petitions to the Secretary of State for review to determine if the petition qualifies as a measure for the ballot, the committee shall submit a statement disclosing the contributions received and expenditures made for the purpose of circulating the petition.
3. **Year-End (Conditional):** If December 31 occurs while the petition is being circulated, the committee shall file a statement by January 31 for the previous calendar year.
4. **Year-End (Required):** After the measure appeared or was to appear on the ballot, the committee shall file a statement by January 31 covering the previous calendar year.

#### The Statements Must Include:

##### Contributions

- a. The starting balance of the committee's account for the reporting period.
- b. The name and mailing address of each person whose total contributions by the end of the reporting period were greater than \$100.
- c. The total of the contributions received from each listed contributor.
- d. The date the last contribution was received from each listed contributor.
- e. The total of all contributions received exceeding \$100 in the reporting period.
- f. The total of all contributions received of \$100 or less in the reporting period.
- g. For contributions over \$100, received from a person who does not live in the state or from an out of state political committee, the statement must include:
  - i. A certified statement from the contributor listing the name, address, occupation, employer, and principal place of business for each individual who contributed more than \$100 of the contribution.
  - ii. An indication if no person contributed more than \$100 to the contribution.

##### Expenditures

- a. The name and address of each recipient of expenditures exceeding \$100.
- b. The amount of the expenditures made to each listed recipient.
- c. The date the last expenditure was made to each listed recipient.
- d. The total of all expenditures made in excess of \$100 in the reporting period.
- e. The total of all expenditures made of \$100 or less in the reporting period.
- f. The ending balance of the committee's account for the reporting period.

**All Statements** must be filed with the Secretary of State.

**Late Filing Fees** may be found on page 27.

#### Form to File:

[Campaign Contribution Disclosure Form](#) (SFN 60455)  
Online Reporting System: Under Construction

# Statement Filing Methods, Deadlines, Late Fees, and Amendments

## Filing Methods

Statements may be submitted and filed by the following methods to the:

- City and County Auditor for **All Statements** by:
  - Personal delivery before the office closes on the last filing day
  - Fax delivery provided it is sent before midnight of the last filing day
  - Mail delivery as long as it has a postmark of no later than the last filing day
- Secretary of State for **2013 Year-End Statement** by:
  - Personal delivery before the office closes on the last filing day
  - Fax delivery provided it is sent before midnight of the last filing day
  - Mail delivery as long as it has a postmark of no later than the last filing day
- Secretary of State for **All Statements 2014 and Beyond** by Electronic Submission

## Filing Deadlines

Statements are timely when submitted no later than:

Filing Officer	Statement	Submitted No Later Than
City Auditor	2013 Year-End Statement	Friday, January 31, 2014
	2014 June Election Statement	Friday, May 9, 2014
	2014 Year-End Statement	Monday, February 2, 2015*
County Auditor	2013 Year-End Statement	Friday, January 31, 2014
	2014 Pre-Primary Statement	Friday, May 9, 2014
	2014 Pre-General Statement	Friday, October 3, 2014
	2014 Year-End Statement	Monday, February 2, 2015*
Secretary of State	2013 Year-End Statement	Friday, January 31, 2014
	2014 Pre-Primary Statement	Friday, May 9, 2014
	2014 Pre-General Statement	Friday, October 3, 2014
	2014 Year-End Statement	Saturday, January 31, 2015**

\* Moved to Monday since the filing deadline falls on a weekend.

\*\* Scheduled deadline is held because of the electronic submission requirements.

## Late Filing Fees

### [NDCC § 16.1-08.1-06.1](#)

If the statement is not timely filed, a late filing fee may be charged.

1. If filed within **6** days after the due date, the late fee is **\$25**.
2. If filed within **11** days after the due date, the late fee is **\$50**.
3. If filed **12 or more** days after the due date, the late fee is **\$100**.

## **Amendments to Filed Reports**

### [NDCC § 16.1-08.1-06.1](#)

A filing officer may require an amendment to be filed for any statement, registration, or report that is incorrect or incomplete. The amendment must be filed with the filing officer within 10 business days after the amendment has been requested in writing. If an amendment is not filed within the prescribed time, the filing officer is authorized to charge and collect a late fee as follows:

1. If filed within **6** days after the amendment was due, the late fee is **\$50**.
2. If filed within **11** days after the amendment was due, the late fee is **\$100**.
3. If filed **12 or more** days after the amendment was due, the late fee is **\$200**.

## **Campaign Financial Disclosure and Related Forms**

Fillable statement forms are available from the Secretary of State's Elections Unit of the Secretary of State's website at [www.nd.gov/sos/campfinance/disl-forms-pubs.html](http://www.nd.gov/sos/campfinance/disl-forms-pubs.html). The online campaign finance system will be accessed from the same location when completed.

### Candidates and Candidate Committees

- [Political Committee Registration](#) (SFN 17909)

### Candidate Disclosure Forms

- [Judicial District Candidates](#) (SFN 58687)
- [Legislative Candidates](#) (SFN 53966)
- [Statewide Candidate](#) (SFN 53967)

### Corporations, Cooperative Corporations, Limited Liability Companies, and Associations

- [Independent Expenditure](#) (SFN 60510)

### County or City Candidates

- [City Candidates](#) (SFN 53970)
- [County Candidates](#) (SFN 53970)

### Political Committees

- [Political Committee Registration](#) (SFN 17909)

### Committee Disclosure Forms

- Incidental Committee
  - [Contributions Received](#) (SFN 60508)
  - [Independent Expenditure](#) (SFN 60509)
- [Measure Committee](#) (SFN 53973)
- [Multicandidate Committee](#) (SFN 11520)
- [Political Action Committee \(PAC\)](#) (SFN 53969)

### Political Parties

- [Legislative District Political Party](#) (SFN 53971)
- State Political Party
  - [Contribution and Expenditure](#) (SFN 53972)
  - [Building Fund](#) (SFN 53965)
  - [Convention Fund](#) (SFN 58715)

### Sponsoring Committees

- [Sponsoring Committee for Initiated or Referred Petition / Measure](#) (SFN 60455)

## **NDCC Chapter 16.1-08.1 – Campaign Contribution Statements**

### **16.1-08.1-01. Definitions.**

As used in this chapter, unless the context otherwise requires:

1. “Affiliate” means an organization that controls, is controlled by, or is under common control with another organization. For purposes of this definition, control means the possession, direct or indirect, of the power to direct or cause the direction of the management and policies of an organization, whether through the ownership of voting securities, by contract other than a commercial contract for goods or nonmanagement services, or otherwise. Control is presumed to exist if an organization, directly or indirectly, owns, controls, holds with the power to vote, or holds proxies representing fifty percent or more of the voting securities of any other organization.
2. “Association” means any club, association, union, brotherhood, fraternity, organization, or group of any kind of two or more persons, including labor unions, trade associations, professional associations, or governmental associations, which is united for any purpose, business, or object and which assesses any dues, membership fees, or license fees in any amount, or which maintains a treasury fund in any amount. The term does not include corporations, cooperative corporations, limited liability companies, political committees, or political parties.
3. “Candidate” means an individual who seeks nomination for election or election to public office, and includes:
  - a. An individual holding public office;
  - b. An individual who has publicly declared that individual's candidacy for nomination for election or election to public office or has filed or accepted a nomination for public office;
  - c. An individual who has formed a campaign or other committee for that individual's candidacy for public office;
  - d. An individual who has circulated a nominating petition to have that individual's name placed on the ballot; and
  - e. An individual who has, in any manner, solicited or received a contribution for that individual's candidacy for public office, whether before or after the election for that office.
4. “Contribution” means a gift, transfer, conveyance, provision, receipt, subscription, loan, advance, deposit of money, or anything of value, made for the purpose of influencing the nomination for election, or election, of any person to public office or aiding or opposing the circulation or passage of a statewide initiative or referendum petition or measure. The term also means a contract, promise, or agreement, express or implied, whether or not legally enforceable, to make a contribution for any of the above purposes. The term includes funds received by a candidate for public office or a political party or committee which are transferred or signed over to that candidate, party, or committee from another candidate, party, or political committee or other source. The term “anything of value” includes any good or service of more than a nominal value. The term “nominal value” means the cost, price, or worth of the good or service is trivial, token, or of no appreciable value. The term “contribution” does not include:
  - a. A loan of money from a bank or other lending institution made in the regular course of business.
  - b. Time spent by volunteer campaign or political party workers.
  - c. Money spent by a candidate on the candidate's own behalf.
  - d. Money or anything of value received for commercial transactions, including rents, advertising, or sponsorships made as a part of a fair market value bargained-for exchange.
  - e. Money or anything of value received by a candidate in that person's personal capacity, including pursuant to a contract or agreement made for personal or private

- employment purposes, and not received for a political purpose or to influence the performance of that person's official duty.
- f. Contributions of products or services for which the actual cost or fair market value are reimbursed by a payment of money.
  - g. An independent expenditure.
5. "Cooperative corporations", "corporations", and "limited liability companies" are as defined in this code, and for purposes of this chapter "corporations" includes nonprofit corporations. However, if a political committee, the only purpose of which is accepting contributions and making expenditures for a political purpose, incorporates for liability purposes only, the committee is not considered a corporation for the purposes of this chapter.
  6. "Expenditure" means:
    - a. A gift, transfer, conveyance, provision, loan, advance, payment, distribution, disbursement, outlay, or deposit of money or anything of value, except a loan of money from a bank or other lending institution made in the regular course of business, made for a political purpose or for the purpose of influencing the passage or defeat of a measure.
    - b. A contract, promise, or agreement, express or implied, whether or not legally enforceable, to make any expenditure.
    - c. The transfer of funds by a political committee to another political committee.
    - d. An independent expenditure.
  7. "Incidental committee" means a committee, club, association, or other group of persons that makes a contribution or expenditure, but for which making contributions and expenditures for political purposes is not its primary purpose.
  8. "Independent expenditure" means an expenditure made for a political purpose or for the purpose of influencing the passage or defeat of a measure if the expenditure is made without the express or implied consent, authorization, or cooperation of, and not in concert with or at the request or suggestion of, any candidate or a candidate committee or measure committee.
  9. "Patron" means a person who owns equity interest in the form of stock, shares, or membership or maintains similar financial rights in a cooperative corporation.
  10. "Person" means an individual, partnership, political committee, association, corporation, cooperative corporation, limited liability company, or other organization or group of persons.
  11. "Political committee" means any committee, club, association, or other group of persons which receives contributions or makes expenditures for political purposes and includes the following:
    - a. A political action committee, derived from a corporation, cooperative corporation, limited liability company, or an association that is prohibited from making a contribution for political purposes under section 16.1-08.1-03.5, and which solicits or receives contributions or makes expenditures for political purposes;
    - b. A candidate committee, established to support an individual candidate seeking statewide office, that solicits or receives contributions for political purposes;
    - c. A political organization governed by the Internal Revenue Code and registered with the federal election commission, which solicits or receives contributions or makes expenditures for political purposes;
    - d. A multicandidate political committee, established to support multiple groups or slates of candidates seeking public office, that solicits or receives contributions for political purposes;
    - e. A measure committee that solicits or receives contributions for the purpose of aiding or opposing a measure to be voted upon by the voters of the state; and
    - f. An incidental committee.
  12. "Political party" means any association, committee, or organization which nominates a candidate for election to any office which may be filled by a vote of the electors of this

state or any of its political subdivisions and whose name appears on the election ballot as the candidate of such association, committee, or organization.

13. "Political purpose" means any activity undertaken in support of or in opposition to the election or nomination of a candidate to public office and includes using "vote for", "oppose", or any similar support or opposition language in any advertisement whether the activity is undertaken by a candidate, a political committee, a political party, or any person. In the period thirty days before a primary election and sixty days before a special or general election, "political purpose" also means any activity in which a candidate's name, office, district, or any term meaning the same as "incumbent" or "challenger" is used in support of or in opposition to the election or nomination of a candidate to public office. The term does not include activities undertaken in the performance of a duty of a state office or any position taken in any bona fide news story, commentary, or editorial.
14. "Public office" means every office to which an individual can be elected by vote of the people under the laws of this state.
15. "Subsidiary" means an affiliate of a corporation under the control of the corporation directly or indirectly through one or more intermediaries.

**16.1-08.1-02. Contributions statement required of candidate committees, candidates, and candidates for legislative office.**

1. Any candidate committee, as described in section 16.1-08.1-01, or candidate for statewide office who does not have a candidate committee, and any candidate for legislative office soliciting or accepting contributions for any political purpose shall make and file a statement in accordance with this section.
2. The candidate committee, or candidate for statewide office who does not have a candidate committee, and any candidate for legislative office shall include in the statement the name and mailing address of all contributors who contributed in excess of two hundred dollars in the aggregate during the reporting period to the candidate committee, or candidate for statewide office who does not have a candidate committee, and any candidate for legislative office, the aggregated amount of the reportable contributions from each contributor and the date the last reportable contribution from each contributor was received.
3. The candidate committee, or candidate for statewide office who does not have a candidate committee, and any candidate for legislative office shall file the statement in the office of the secretary of state no later than the thirty-second day before the date of the election in which the candidate's name appears on the ballot or in which the candidate seeks election through write-in votes complete from the beginning of that calendar year through the fortieth day before the date of the election. Every candidate committee, or candidate for statewide office who does not have a candidate committee, and every candidate for legislative office shall file a complete statement for each calendar year no later than the thirty-first day of January of the following year, regardless of whether the candidate sought election during that calendar year.
4. Even if the candidate committee, or candidate for statewide office who does not have a candidate committee, or the candidate for legislative office has not received any contributions in excess of two hundred dollars during the reporting period, the candidate committee, or candidate for statewide office who does not have a candidate committee, or the candidate for legislative office shall file a statement as required by this chapter. A statement filed according to this section by a candidate committee or candidate for statewide office who does not have a candidate committee during the reporting period must show the following:
  - a. The gross total of all contributions received in excess of two hundred dollars;
  - b. The gross total of all contributions received of two 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. A candidate committee, or candidate for statewide office who does not have a candidate committee, and any candidate for legislative office shall report the occupation, employer,

and principal place of business of each person, or the political committee if not already registered according to state or federal law, who contributed five thousand dollars or more in the aggregate during the reporting period.

**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 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 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 aggregated totals of all revenue received from a single person or entity in excess of two hundred dollars, the name of each person or entity, the mailing address of each person or entity, the date of the most recent receipt of revenue from each person or entity, and the purpose or purposes for which the aggregated revenue total was received from each person or entity;
  - e. The aggregated totals of all expenditures made to a single person or entity in excess of two hundred dollars, the name of each person or entity, the mailing address of each person or entity, the date of the most recent expense made to each person or entity, and the purpose or purposes for which the aggregated expenditure total was disbursed to each person or entity; and
  - f. A political party shall report 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 period.
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 16.1-08.1-03.
7. 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 16.1-08.1-03.

**16.1-08.1-03. Contributions statement required of political parties.**

1. Any political party that receives contributions in excess of two hundred dollars in the aggregate during the reporting period shall file a statement containing the aggregated total of all contributions received from a person or political committee which exceed two hundred dollars in amount. The statement must include the name and mailing address of all contributors listed. For each contributor listed, the statement must include the aggregated amount of the reportable contributions and the date the last reportable contribution was received. For a state political party, the statement must include a list of

the name and mailing address of each recipient of an expenditure exceeding two hundred dollars in the aggregate. For each expenditure recipient listed, the list must include the aggregated amount of the reportable expenditures and the date the last expenditure was made.

2. 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 of the following year. A preelection statement must be filed no later than the thirty-second day before any election at which the party has endorsed or will nominate a candidate and must be complete from the beginning of that calendar year through the fortieth day before the election.
3. Even if the political party has not received any contributions in excess of two hundred dollars during the reporting period, the political party shall file a statement as required by this chapter. A statement filed by a state political party according to this section during the reporting period must show the following:
  - a. The gross total of all contributions received and expenditures made in excess of two hundred dollars;
  - b. The gross total of all contributions received and expenditures made of two hundred dollars, or less; and
  - c. The cash on hand in the filer's account at the start and close of the reporting period.
4. A political party shall report the occupation, employer, and principal place of business of each person, or the political committee if not already registered according to state or federal law, who contributed five thousand dollars or more in the aggregate during the reporting period.

**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. 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 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.
2. 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 1.
3. The statement required of a person or measure committee under subsection 1 must be filed with the secretary of state no later than the thirty-second 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 fortieth day before the date of the election. A complete statement for the entire calendar year for each statement required to be filed under this section 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. A statement filed according to this section 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.
4. 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.

#### **16.1-08.1-03.2. Political committee registration.**

A statewide, judicial, or legislative candidate or political committee as defined in section 16.1-08.1-01 shall register its name and address, its agent's name and address, and a designation as to whether the committee is incorporated solely for the purpose of liability protection, with the secretary of state each calendar year. The registration must be completed within fifteen business days of the receipt of any contribution or expenditure made. 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. 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. Registration under this section does not reserve the name for exclusive use nor does it constitute registration of a trade name under chapter 47-25.

#### **16.1-08.1-03.3. Campaign contributions by corporations, cooperative corporations, limited liability companies, and associations — Violation — Penalty — Political action committees authorized.**

1. A corporation, cooperative corporation, limited liability company, or association may establish, administer, and solicit contributions to a separate and segregated fund to be utilized for political purposes by the corporation, cooperative corporation, limited liability company, or association. It is unlawful for:
  - a. The person or persons controlling the fund to make contributions or expenditures utilizing money or anything of value secured by physical force, job discrimination, financial reprisals, or the threat of them; or utilize money from dues, fees, treasury funds, or other money required as a condition of membership in an association, or as a condition of employment; or utilize money obtained in any commercial transaction. Moneys from fees, dues, treasury funds, or money obtained in a commercial transaction may, however, be used to pay costs of administration of the fund.

- b. Any person soliciting an employee, stockholder, patron, board member or member for a contribution to the fund to fail to inform the employee or member of the political purposes of the fund at the time of the solicitation or of the general political philosophy intended to be advanced through committee activities.
  - c. Any person soliciting an employee or member for a contribution to the fund to fail to inform the employee or member at the time of the solicitation of the right to refuse to contribute without any reprisal.
  - d. Any contribution to be accepted without keeping an accurate record of the contributor and amount contributed and of amounts expended for political purposes.
  - e. Any contribution to be accepted from any person who is not an employee, a stockholder, a patron, a board member or a member of the corporation, cooperative corporation, limited liability company, or association maintaining the political action committee, except a corporation may accept a contribution from an employee, a stockholder, a patron, a board member, or a member of an affiliate or a subsidiary of the corporation.
  - f. Any expenditure made for political purposes to be reported under this section before control of the expenditure has been released by the political action committee except if there is a contract, a promise, or an agreement, expressed or implied, to make such expenditure.
2. All political action committees, as described in section 16.1-08.1-01, formed for the purpose of administering the segregated fund provided for in this section shall file a statement showing the name and mailing address of each contributor of an amount in excess of two hundred dollars in the aggregate for the reporting period and a listing of all expenditures of an amount in excess of two hundred dollars in the aggregate made for political purposes with the secretary of state. The statement must include the amount of each reportable contribution and the date it was received and the amount of each reportable expenditure and the date it was made. A year-end statement covering the entire calendar year must be filed no later than the thirty-first day of January of the following year. A preelection statement must be filed no later than the thirty-second day before any primary, special, or general election and must be complete from the beginning of the calendar year through the fortieth day before the election. Even if a political action committee has not received any contributions or made any expenditures in excess of two hundred dollars during the reporting period, the political action committee shall file a statement as required by this chapter. A statement filed according to this section during the reporting period must show the following:
    - a. The gross total of all contributions received and expenditures made in excess of two hundred dollars;
    - b. The gross total of all contributions received and expenditures made of two hundred dollars, or less; and
    - c. The cash on hand in the filer's account at the start and close of the reporting period.
  3. A political action committee shall report the occupation, employer, and principal place of business of each person, or the political committee if not already registered according to state or federal law, who contributed five thousand dollars or more in the aggregate during the reporting period.
  4. A person may not make a payment of that person's money or of another person's money to any other person for a political purpose in any name other than that of the person who supplies the money and a person may not knowingly receive the payment nor enter nor cause the payment to be entered in that person's account or record in any name other than that of the person by whom it actually was furnished.
  5. If an officer, employee, agent, attorney, or other representative of a corporation, cooperative corporation, limited liability company, or association makes any contribution prohibited by this section out of corporate, cooperative corporation, limited liability company, or association funds or otherwise violates this section, it is prima facie evidence of a violation by the corporation, cooperative corporation, limited liability company, or association.

6. A violation of this section may be prosecuted in the county where the contribution is made or in any county in which it has been paid or distributed.
7. It is a class A misdemeanor for an officer, director, stockholder, manager, governor, member, attorney, agent, or representative of any corporation, cooperative corporation, limited liability company, or association to violate this section or to counsel or consent to any violation. Any person who solicits or knowingly receives any contribution in violation of this section is guilty of a class A misdemeanor.
8. Any officer, director, stockholder, manager, governor, member, attorney, agent, or representative who makes, counsels, or consents to the making of a contribution in violation of this section is liable to the company, corporation, limited liability company, or association for the amount so contributed.

**16.1-08.1-03.4. Person not excused from testifying as to violation — Prosecution or penalty waived upon testifying.**

No person may be excused from attending and testifying or producing any books, papers, or other documents before any court upon any investigation, proceeding, or trial for a violation of any of the provisions of this chapter, upon the grounds that the testimony or evidence, documentary or otherwise, required of the person may tend to incriminate or degrade the person. No person may be prosecuted nor subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which the person may testify or produce evidence, documentary or otherwise, and no testimony so given or produced may be used against the person in any criminal investigation or proceeding.

**16.1-08.1-03.5. Corporate contributions and expenditures — Report required.**

1. Corporations, cooperative corporations, limited liability companies, 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, or association other than a “political purpose” as defined by this chapter. A corporation, cooperative corporation, limited liability company, or association may not make a contribution for a political purpose.
2. A corporation, cooperative corporation, limited liability company, 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 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, or association may make a contribution to a measure committee for the purpose of promoting the passage or defeat of an initiated or referred measure or make a contribution to any other person that makes an independent expenditure. A corporation, cooperative corporation, limited liability company, or association may make an independent expenditure for a political purpose or for the purpose of promoting passage or defeat of initiated or referred

measures. The corporation, cooperative corporation, limited liability company, or association shall file a statement disclosing a contribution or an independent expenditure made under this subsection with the secretary of state within forty-eight hours after making the contribution or independent expenditure. The statement must include:

- a. The full name of the corporation, cooperative corporation, limited liability company, or association;
- b. The complete address of the corporation, cooperative corporation, limited liability company, or association;
- c. The name of the recipient of the contribution or independent expenditure;
- d. If the contribution or independent expenditure is related to a measure, the title of the measure and whether the contribution or independent expenditure is made in support of or opposition to the measure;
- e. If the contribution or independent 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 contribution or independent expenditure;
- g. The cumulative total amount of contributions and independent 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 report, attesting to the report being true, complete, and correct; and
- i. The date on which the report was signed.

**16.1-08.1-03.7. Political committees that organize and register according to federal law that make independent expenditures or disbursements to nonfederal candidates, political parties, and political committees.**

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 or to a political party or political committee in this state shall file a copy of that portion of the committee's federal report detailing the independent expenditure or the disbursement made. The political committee shall file a copy of the committee's federal report with the secretary of state at the time of filing the report with the applicable federal agency. The report must include:

1. The name, mailing address, and treasurer of the political committee;
2. The recipient's name and mailing address; and
3. The date and amount of the independent expenditure or disbursement.

**16.1-08.1-03.8. Contributions statement required of multicandidate political committees.**

1. A multicandidate political committee, as described in section 16.1-08.1-01, that solicits or accepts contributions for any political purpose shall file statements as required by this section.
2. A multicandidate political committee shall file a statement containing the aggregated total of all contributions showing the name and mailing address of each contributor who contributed in excess of two hundred dollars in the aggregate to the committee during a reporting period, the aggregated amount of the reportable contributions in excess of two hundred dollars, and the date the last reportable contribution was received.
3. A multicandidate political committee required to file a statement under this section shall file the statement in the office of the secretary of state no later than the thirty-second day before the date of any primary, special, or general election. The statement must be complete from the beginning of that calendar year through the fortieth day before the date of the primary, special, or general election. The political committee shall file a complete statement for the entire calendar year no later than the thirty-first day of January of the following year in which the political committee received a reportable contribution.

4. Even if a multicandidate political committee has not received any contribution in excess of two hundred dollars during the reporting period, the political committee shall file a statement as required by this chapter. A statement filed according to this section during the reporting period must show the following:
  - a. The gross total of all contributions received in excess of two hundred dollars;
  - b. The gross total of all contributions received of two 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. A multicandidate political committee shall report the occupation, employer, and principal place of business of each person, or the political committee if not already registered according to state or federal law, who contributed five thousand dollars or more in the aggregate during the reporting period.

**16.1-08.1-03.9. Contribution statements of judicial district candidates or a candidate committee for a judicial district candidate.**

1. A judicial district candidate or a candidate committee for a judicial district candidate shall make and file a statement in accordance with this section. The candidate or candidate committee shall include in the statement:
  - a. The name and mailing address of all contributors who made contributions in excess of two hundred dollars in the aggregate for the purpose of influencing the nomination for election, or election, of the candidate;
  - b. The aggregated amount of the contributions from each listed contributor;
  - c. The date the last contribution was received from each listed contributor;
  - d. The gross total of all contributions received in excess of two hundred dollars;
  - e. The gross total of all contributions received of two hundred dollars, or less; and
  - f. The cash on hand in the filer's account at the start and close of the reporting period.
2. A candidate or a candidate committee described in this section shall file a statement with the secretary of state no later than the thirty-second day before the date of the election in which the candidate's name appears on the ballot or in which the candidate seeks election through write-in votes. The reporting period for each of these statements is from the beginning of that calendar year through the fortieth day before the date of the election.
3. A candidate or a candidate committee described in this section shall also be required to file a complete year-end statement with the secretary of state no later than the thirty-first day of January in the year immediately following the date of the election in which the candidate's name appeared on the ballot or in which the candidate sought election through write-in votes. Even if the candidate or candidate committee has not received any contributions in excess of two hundred dollars during the reporting period, the candidate or candidate committee shall file a statement as required by this section.
4. A candidate or a candidate committee described in this section shall be required to file a year-end statement with the secretary of state, regardless of whether the candidate sought election during that calendar year.
5. A statement required by this section to be filed with the secretary of state must be:
  - a. Deemed properly filed when deposited with or delivered to the secretary of state within the prescribed time. A statement that is mailed is deemed properly filed when it is postmarked and directed to the secretary of state within the prescribed time. If the secretary of state does not receive a statement, a duplicate of the statement must be promptly filed upon notice by the secretary of state of its nonreceipt.
  - b. Preserved by the secretary of state for a period of four years from the date of filing. The statement is to be considered a part of the public records of the secretary of state and must be open to public inspection.

**16.1-08.1-03.10. Contribution statements of county office candidates or a candidate committee for a county office candidate.**

1. A county office candidate or a candidate committee for a county office candidate shall make and file a statement in accordance with this section. The candidate or candidate committee shall include in the statement:
  - a. The name and mailing address of all contributors who made contributions in excess of two hundred dollars in the aggregate for the purpose of influencing the nomination for election, or election, of the candidate;
  - b. The aggregated amount of the contributions from each listed contributor; and
  - c. The date the last contribution was received from each listed contributor.
2. A candidate or a candidate committee described in this section shall file a statement with the county auditor no later than the thirty-second day before the date of the election in which the candidate's name appears on the ballot or in which the candidate seeks election through write-in votes. The reporting period for each of these statements is from the beginning of that calendar year through the fortieth day before the date of the election.
3. A candidate or a candidate committee described in this section shall also be required to file a complete year-end statement with the county auditor no later than the thirty-first day of January in the year immediately following the date of the election in which the candidate's name appeared on the ballot or in which the candidate sought election through write-in votes. Even if the candidate or candidate committee has not received any contributions in excess of two hundred dollars during the reporting period, the candidate or candidate committee shall file a statement as required by this section.
4. A candidate or a candidate committee described in this section shall be required to file a year-end statement with the county auditor for any year in which a contribution was received, regardless of whether the candidate sought election during that calendar year.
5. A statement required by this section to be filed with the county auditor must be:
  - a. Deemed properly filed when deposited with or delivered to the county auditor within the prescribed time. A statement that is mailed is deemed properly filed when it is postmarked and directed to the county auditor within the prescribed time. If the county auditor does not receive a statement, a duplicate of the statement must be promptly filed upon notice by the county auditor of its nonreceipt.
  - b. Preserved by the county auditor for a period of four years from the date of filing. The statement is to be considered a part of the public records of the county auditor and must be open to public inspection.

**16.1-08.1-03.11. Contribution statements of city office candidates or a candidate committee for a city office candidate in cities with a resident population of five thousand or more as determined by the last federal decennial census.**

1. A city office candidate or a candidate committee for a city office candidate in cities with a resident population of five thousand or more as determined by the last federal decennial census shall make and file a statement in accordance with this section. The candidate or candidate committee shall include in the statement:
  - a. The name and mailing address of all contributors who made contributions in excess of two hundred dollars in the aggregate for the purpose of influencing the nomination for election, or election, of the candidate;
  - b. The aggregated amount of the contributions from each listed contributor; and
  - c. The date the last contribution was received from each listed contributor.
2. A candidate or a candidate committee described in this section shall file a statement with the city auditor no later than the thirty-second day before the date of any election in which the candidate's name appears on the ballot or in which the candidate seeks election through write-in votes. The reporting period for each of these statements is from the beginning of that calendar year through the fortieth day before the date of the election.

3. A candidate or a candidate committee described in this section shall also be required to file a complete year-end statement with the city auditor no later than the thirty-first day of January in the year immediately following the date of the election in which the candidate's name appeared on the ballot or in which the candidate sought election through write-in votes. Even if the candidate or candidate committee has not received any contributions in excess of two hundred dollars during the reporting period, the candidate or candidate committee shall file a statement as required by this section.
4. A candidate or a candidate committee described in this section shall be required to file a year-end statement with the city auditor for any year in which a contribution was received, regardless of whether the candidate sought election during that calendar year.
5. A statement required by this section to be filed with the city auditor must be:
  - a. Deemed properly filed when deposited with or delivered to the city auditor within the prescribed time. A statement that is mailed is deemed properly filed when it is postmarked and directed to the city auditor within the prescribed time. If the city auditor does not receive a statement, a duplicate of the statement must be promptly filed upon notice by the city auditor of its nonreceipt.
  - b. Preserved by the city auditor for a period of four years from the date of filing. The statement is to be considered a part of the public records of the city auditor and must be open to public inspection.

**16.1-08.1-03.12. Contribution statements of incidental committees and other political committees.**

1. An incidental committee or political committee not otherwise covered by another section of this chapter may make a contribution to a measure committee for the purpose of promoting the passage or defeat of an initiated or referred measure or make a contribution to any other person that makes an independent expenditure. The incidental committee or political committee may make an independent expenditure for a political purpose or for the purpose of promoting passage or defeat of initiated or referred measures. The incidental committee or political committee shall file a statement disclosing a contribution for a political purpose or an independent expenditure made under this subsection with the secretary of state within forty-eight hours after making the contribution or independent expenditure. The statement filed under this subsection must include:
  - a. The full name of the incidental committee or political committee;
  - b. The complete address of the incidental committee or political committee;
  - c. The name of the recipient of the contribution or independent expenditure;
  - d. If the contribution or independent expenditure is related to a measure, the title of the measure and whether the contribution or independent expenditure is made in support of or opposition to the measure;
  - e. If the contribution or independent expenditure is related to a measure, the election date on which the measure appeared or will appear on the ballot;
  - f. The amount of the contribution or independent expenditure made to a recipient in this state;
  - g. The cumulative total of contributions and independent expenditures since the beginning of the calendar year made to recipients in this state;
  - h. The telephone number, printed name, and signature of the individual completing the report, attesting to the report being true, complete, and correct; and
  - i. The date on which the report was signed.
2. An incidental committee that solicits or accepts contributions for any political purpose shall file a statement in the office of the secretary of state no later than the thirty-second day before the date of any primary, special, or general election. The statement must be complete from the beginning of that calendar year through the fortieth day before the date of the primary, special, or general election. The committee shall file a complete statement for the entire calendar year no later than the thirty-first day of January of the

following year in which the committee received a reportable contribution. Even if an incidental committee has not received any contributions in excess of two hundred dollars during the reporting period, the committee shall file a statement as required under this chapter. A statement filed under this subsection during the reporting period must show the following:

- a. The gross total of all contributions received in excess of two hundred dollars;
- b. The name and mailing address of each contributor that contributed in excess of two hundred dollars in the aggregate to the committee during a reporting period;
- c. The gross total of all contributions received of two hundred dollars or less;
- d. The date the last reportable contribution was received;
- e. The cash on hand in the filer's account at the start and close of the reporting period; and
- f. The occupation, employer, and principal place of business of each person, or the political committee if not already registered according to state or federal law, which contributed five thousand dollars or more in the aggregate during the reporting period.

**16.1-08.1-03.13. Contribution statements required of initiated petition sponsoring committees.**

1. At the time the sponsoring committee for an initiated petition requests approval of the secretary of state to circulate petitions for the purpose of placing a measure on the ballot, the committee also shall submit a statement disclosing the contributions received and the expenditures made for the purpose of drafting the petition.
2. At the time the sponsoring committee for an initiated petition submits signed petitions to the secretary of state, the committee also shall submit a statement disclosing the contributions received and expenditures made for the purpose of circulating the petition.
3. If December thirty-first falls between the date the secretary of state approves the petition for circulation and the date the signed petitions are submitted to the secretary of state, a complete statement for the calendar year shall be filed no later than the thirty-first day of January of the following year.
4. The sponsoring committee also shall file a complete statement for the calendar year in which the measure appeared or was to appear on the ballot. This statement shall be filed no later than the thirty-first day of January of the following year.
5. A sponsoring committee 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 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 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.
6. The statements required of this section shall include:
  - 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;
  - c. The cash on hand in the filer's account at the start and close of the reporting period;
  - d. The name and mailing address of each person that contributed in excess of one hundred dollars to the sponsoring committee;
  - e. The amount of each reportable contribution;
  - f. The date each reportable contribution was received;
  - g. The name and mailing address of each recipient of an expenditure exceeding one hundred dollars in the aggregate;
  - h. The amount of each reportable expenditure; and
  - i. The date the expenditure was made.

**16.1-08.1-04. Supplemental statement required on large contributions received after original statement — Filing time.**

If any candidate, political party, or political committee receives contributions in excess of five hundred dollars in the aggregate within the thirty-nine days immediately preceding any election from any individual contributor, that candidate, political party, political committee, or person shall make and file a supplemental statement in the same form as required by section 16.1-08.1-02, 16.1-08.1-03, 16.1-08.1-03.1, 16.1-08.1-03.3, 16.1-08.1-03.8, 16.1-08.1-03.9, 16.1-08.1-03.10, 16.1-08.1-03.11, or 16.1-08.1-03.12 stating the name and street address of the contributor and the aggregated amount of the contribution and file the statement in the appropriate office within forty-eight hours of the receipt of the contribution.

**16.1-08.1-05. Audit by secretary of state — Requested audits — Reports.**

1. If a substantial irregularity is evident or reasonably alleged, the secretary of state may arrange an audit of any statement filed pursuant to this chapter, to be performed by a certified public accountant of the filer's choice, subject to approval by the secretary of state. If an audit of a statement arranged by the secretary of state under this subsection reveals a violation of this chapter, the candidate, political party, political committee, or other person filing the statement shall pay a fine to the secretary of state equal to two hundred percent of the aggregate of contributions and expenditures found to be in violation or an amount sufficient to pay the cost of the audit, whichever is greater. If an audit of a statement arranged by the secretary of state under this subsection does not reveal a violation of this chapter, the cost of the audit must be paid for by the secretary of state.
2. If a substantial irregularity is reasonably alleged, the secretary of state may arrange an audit of any statement filed pursuant to this chapter, performed by a certified public accountant of the filer's choice, subject to approval by the secretary of state, upon written request by any interested party made to the secretary of state within thirty days following receipt of a statement by the secretary of state. The request must be made in writing, recite a substantial irregularity and a lawful reason for requesting an audit, and be accompanied by a bond in an amount established by the secretary of state sufficient to pay the cost of the audit. If an audit of a statement arranged by the secretary of state under this subsection reveals a violation of this chapter, the candidate, political party, or political committee filing the statement shall pay a fine to the secretary of state equal to two hundred percent of the aggregate of contributions and expenditures found to be in violation or an amount sufficient to pay the cost of the audit, whichever is greater, and the bond shall be returned to the person submitting it. If an audit of a statement arranged by the secretary of state under this subsection does not reveal a violation of this chapter, the cost of the audit must be satisfied from the bond filed with the secretary of state.
3. An audit may not be made or requested of a statement for the sole reason that it was not timely filed with the secretary of state. An audit made or arranged according to this section must audit only those items required to be included in any statement, registration, or report filed with the secretary of state according to this chapter. The secretary of state may collect any payment obligation arising out of this section by civil action or by assignment to a collection agency, with any costs of collection to be added to the amount owed and to be paid by the delinquent filer. Any remaining moneys collected by the secretary of state after an audit is paid for under this section must be deposited in the state's general fund. This section does not apply to statements filed according to sections 16.1-08.1-03.10 and 16.1-08.1-03.11.

**16.1-08.1-06. Contributions statement requirements. (Effective through April 30, 2014)**

1. Any statement required by this chapter to be filed with the secretary of state must be:
  - a. Deemed properly filed when deposited with or delivered to the secretary of state within the prescribed time and in the format established by the secretary of state. A

- statement that is mailed is deemed properly filed when it is postmarked and directed to the secretary of state within the prescribed time. If the secretary of state does not receive a statement, a duplicate of the statement must be promptly filed upon notice by the secretary of state of its nonreceipt. After a statement has been filed, the secretary of state may request or accept written clarification along with an amended statement from a candidate, political party, or political committee filing the statement when discrepancies, errors, or omissions on the statement are discovered by the secretary of state, the candidate, political party, or political committee filing the statement, or by any interested party reciting a lawful reason for requesting clarification and an amendment be made. When requesting an amended statement, the secretary of state shall establish a reasonable period of time, not to exceed ten days, agreed to by the candidate, political party, or political committee, for filing the amended statement with the secretary of state.
- b. Preserved by the secretary of state for a period of four years from the date of filing. The statement is to be considered a part of the public records of the secretary of state's office and must be open to public inspection.
2. If the filing date falls on a Saturday or Sunday or a holiday on which the office of the secretary of state is closed, the statement must be filed on the next available day on which the office of the secretary of state is open. In determining the amount of individual contributions from any contributor, all amounts received from the same contributor during the reporting period must be aggregated to report an overall total contribution for the purposes of the statements required by this chapter. Aggregate contributions must reference the date of the most recent contribution. Contributions made separately by different persons from joint accounts are considered separate contributions for reporting purposes.
  3. Unless otherwise provided by law, any candidate, political party, committee, or person may not be charged a fee for filing any statement with the secretary of state under this chapter.

**(Effective after April 30, 2014) Contributions and expenditure statement requirements.**

1. Any statement required by this chapter to be filed with the secretary of state must be:
  - a. Deemed properly filed when electronically delivered to the secretary of state within the prescribed time and in the format established by the secretary of state. If the secretary of state does not receive a statement, a duplicate of the statement must be promptly filed upon notice by the secretary of state of its nonreceipt. After a statement has been filed, the secretary of state may request or accept written clarification along with an amended statement from a candidate, political party, or political committee filing the statement when discrepancies, errors, or omissions on the statement are discovered by the secretary of state, the candidate, political party, or political committee filing the statement, or by any interested party reciting a lawful reason for requesting clarification and an amendment be made. When requesting an amended statement, the secretary of state shall establish a reasonable period of time, not to exceed ten days, agreed to by the candidate, political party, or political committee, for filing the amended statement with the secretary of state.
  - b. Preserved by the secretary of state for a period of ten years from the date of filing. The statement is to be considered a part of the public records of the secretary of state's office and must be open to public inspection.
2. In determining the amount of individual contributions from any contributor, all amounts received from the same contributor during the reporting period must be aggregated to report an overall total contribution for the purposes of the statements required by this chapter. Aggregate contributions must reference the date of the most recent contribution. Contributions made separately by different persons from joint accounts are considered separate contributions for reporting purposes.
3. Any statement and data filed electronically must be made available on the internet to the public free of charge within twenty-four hours after filing.

4. Unless otherwise provided by law, any candidate, political party, committee, or person may not be charged a fee for filing any statement with the secretary of state under this chapter.

**16.1-08.1-06.1. Filing officer to charge and collect fees for late filing.**

1. If a statement or report required to be filed according to this chapter is not filed within the prescribed time, the filing officer to whom the report was to be filed is authorized to charge and collect a late fee as follows:
  - a. Within six days after the prescribed time, twenty-five dollars;
  - b. Within eleven days after the prescribed time, fifty dollars; and
  - c. Thereafter, one hundred dollars.
2. A filing officer may require an amendment to be filed for any statement or report that is incorrect or incomplete. The amendment must be filed with the filing officer within ten business days after the amendment has been requested in writing. If an amendment is not filed within the prescribed time, the filing officer is authorized to charge and collect a late fee as follows:
  - a. Within six days after the date the amendment was due, fifty dollars;
  - b. Within eleven days after the date the amendment was due, one hundred dollars; and
  - c. Thereafter, two hundred dollars.
3. The filing officer may collect any payment obligation arising out of this section by civil action or by assignment to a collection agency, with any costs of collection to be added to the amount owed and to be paid by the delinquent filer.

**16.1-08.1-06.2. Secretary of state to provide instructions and conduct training.**

The secretary of state shall provide instructions and conduct training for the purpose of promoting uniform application of campaign finance and disclosure requirements and the uniform filing of statements, registrations, or reports according to this chapter.

**16.1-08.1-07. Penalty.**

Except as otherwise provided, any person who willfully violates any provision of this chapter is guilty of a class A misdemeanor.