

**Campaign Finance
Disclosure Requirements
for
City, County and School
Candidates**

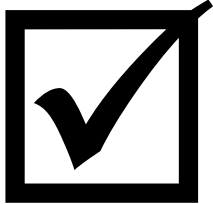
North Dakota



**✓ votes
2024**



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FOREWORD

This pamphlet is intended as a reference source for city, county and school candidates and others with an interest in campaign finance laws and disclosure requirements pertaining to these candidates. Contained within is a summary of the laws found in the North Dakota Century Code (NDCC) relating to campaign finance and disclosure requirements for these candidates 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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The Campaign Finance Disclosure page 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 for city and county candidates. 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 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.

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Disclosure Statement Filers

Candidates

Candidate for City*, County, or School** Offices

Identified and defined 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.

* **Note:** Applies to cities with a resident population of 5,000 or more.

** **Note:** Applies to schools with a fall enrollment of 1,000 students or more.

Contribution 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 person 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 including a conduit.

* 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 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.
4. Money or anything of value received for anything other than a political purpose
5. Products or services for which the actual cost or fair market value are reimbursed by a payment of money.
6. An independent expenditure.
7. The value of advertising paid by a political party, multicandidate political committee, or caucus which is in support of a candidate.
8. In-kind contributions from a candidate to the candidate’ campaign.

Prohibited Contributions

According to [NDCC § 16.1-08.1-03.5\(1\)](#), a corporation, cooperative corporation, limited liability company, affiliate, subsidiary, 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.

1. Corporations, cooperative corporations, and limited liability companies are as defined in the Century Code.
2. For purposes of campaign finance, corporation includes nonprofit corporations [NDCC § 16.1-08.1-01\(5\)](#)

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. Brotherhoods
2. Clubs
3. Fraternities
4. Groups of two or more persons
5. Trade, professional, or governmental associations
6. Unions (including labor unions)

Candidate Disclosure Requirements

Election statements are required of candidates whose names appear on the ballot and candidates seeking election through write-in votes.

1. **Pre-Election 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 total of all aggregated contributions from contributors which total in excess of \$200 during the reporting period.
 - e. The total of all contributions received from contributors that contributed \$200 or less each during the reporting period.
2. **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.

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.

- d. 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.
3. **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 total of all aggregated contributions from contributors which total in excess of \$200 during the reporting period.
 - e. The total of all contributions received from contributors that contributed \$200 or less each during the reporting period.
 - f. The total of all expenditures made during the previous year, separated into expenditure categories.
4. **All Statements** are filed with the appropriate filing officer.
5. **Late Filing Fees** may be found on page 6.

Form to File:

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

Statement Submission Methods and Deadlines

Submission Methods

All Statements may be submitted and filed by the following methods to the appropriate filing officer:

- City Auditor, County Auditor, or School Business Manager:
 - 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

Submission Deadlines

Filing Officer	Statement	Submission Window
City Auditor	2024 June Election Statement	May 3 - May 10, 2024
	2024 Year-End Statement	January 1 - January 31, 2025
County Auditor	2024 Pre-Primary Statement	May 3 - May 10, 2024
	2024 Pre-General Statement	September 27 - October 4, 2024
	2024 Year-End Statement	January 1 - January 31, 2025
School Business Manager	2024 Election Statement	Between the 39 th and 32 nd day before the election
	2024 Year-End Statement	January 1 - January 31, 2025

Late Fees and Amendments

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 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 Disclosure Forms

Forms are available from the Secretary of State's website at Vote.ND.Gov. Select Campaign Finance Disclosure and look for City, County, and School Candidates. (SFN 53970)