

Definitions.

1. “Commission” means the North Dakota Ethics Commission established by article XIV of the Constitution of North Dakota.
2. “Expenses” means money spent on transportation, lodging, and, while traveling, meals.
3. “Immediate family” means a parent; sibling; child by blood, adoption, or marriage; spouse, grandparent; or grandchild.
4. “Policy-monitored travel” means expenses reported pursuant to an official policy of the Office of Management and Budget or a public official’s office which is subject to an open records request.
5. “Public official” means any elected or appointed official of the state’s executive or legislative branch, including members of the ethics commission, members of the governor’s cabinet, and employees of the legislative branch.
6. “Third party funded travel” means any travel, whether within or outside the state of North Dakota, undertaken by a public official, or a member of the public official’s immediate family, in relation to the public official’s status as a public official, including travel paid with federal, state, tribal, or local public funds. It does not include travel paid with a public official’s personal or campaign finances or policy-monitored travel.

Travel Disclosure Statement.

Every public official shall file a travel disclosure statement by the 15th of the succeeding month within fifteen days following the conclusion of third party funded travel. The travel disclosure statement required to be filed under this section must include:

- a. the purpose of the travel;
- b. the destination(s) visited;
- c. the dates of travel;
- d. the source(s) of funds used to finance all travel-related expenses; ~~and~~
- e. an estimate of the amount expended, or if known, the actual amount expended;
- f. whether the expenses were for air transportation, ground transportation, lodging, meals, entertainment, or other activities;
- g. the number of any accompanying immediate family members, if any; and
- h. the agenda.

Filing and Format.

1. The commission shall establish a standardized form for the filing of the travel disclosure statement.
2. The travel disclosure statement shall be filed in electronic format through the commission's official website.
3. The travel disclosure statement must contain a written statement that it is complete and accurate. A travel disclosure statement may be voluntarily amended after the filing deadline but may be subject to a late fee at the discretion of the commission.
4. The travel disclosure statement must contain a written certification that it is true, correct, complete, and of the filer's own personal knowledge.

Public Access and Retention.

The travel disclosure statement shall be made publicly accessible through the commission's website. The commission shall maintain all travel disclosure statements for a complete calendar year for a period of three years.

Policy-monitored Travel.

Every public official shall report all policy-monitored travel as required by the Office of Management and Budget or the public official's office.

Penalty.

1. If the travel disclosure statement is not filed within the prescribed time or is voluntarily amended thereafter, the commission may charge and collect a late fee from the public official 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. The commission may require an amendment to be filed for any travel disclosure statement that is incorrect or incomplete. The amendment must be filed with the commission within ten business days after the amendment has been requested in writing. If an amendment is not filed within the prescribed time, the commission may charge and collect a late fee from the public official 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. If a public official fails to report policy-monitored travel, the commission may charge and

collect a one-hundred-dollar fee from the public official.

4. If a public official knowingly fails to file a travel disclosure statement, knowingly fails to report policy-monitored travel, or knowingly falsifies information in such disclosures, the commission may charge and collect up to a ~~five thousand dollar~~ five hundred dollar fee from the public official. For a second and subsequent violation of this subsection, the commission may charge and collect up to a one thousand dollar fee from the public official. The commission may also collect all expenses from the public official it incurred in investigating and collecting the fee for a knowing violation under this subsection.
5. The commission may collect any payment obligation arising out of this section through the process in North Dakota Administrative Code chapter 115-02-01, 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. Prior to assigning any payment obligation to a collection agency, the commission shall provide the debtor thirty-day notice and an opportunity to respond to the transfer of debt.
6. Any payment obligation, when so collected by the commission, must be paid to the state treasurer and placed to the credit of the general fund.