

HOUSE BILL 687

Introduced by Madison, et al.

2/07	Introduced
2/07	Referred to State Administration
2/08	First Reading
2/18	Hearing
2/18	Tabled in Committee

1 *House* BILL NO. *687*  
 2 INTRODUCED BY *M. DeLeon*  
 3 *See Sheet*

4 A BILL FOR AN ACT ENTITLED: "AN ACT RELATING TO CAMPAIGN  
 5 CONTRIBUTIONS AND EXPENDITURES; PROVIDING FOR THE  
 6 DISPOSITION OF SURPLUS CAMPAIGN CONTRIBUTIONS OF A CANDIDATE  
 7 OR POLITICAL COMMITTEE; ESTABLISHING DATES FOR THE REPORTING  
 8 OF CAMPAIGN CONTRIBUTIONS AND EXPENDITURES; AND AMENDING  
 9 SECTION 13-37-226, MCA."

10  
 11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

12 NEW SECTION. **Section 1.** Required disposition of  
 13 surplus campaign funds. (1) A candidate or a political  
 14 committee holding or controlling any contribution of money  
 15 at the time of filing a closing report required by 13-37-228  
 16 may expend or otherwise dispose of the money only by:

- 17 (a) donating to a bona fide nonprofit organization;
- 18 (b) compensating legislative interns employed pursuant  
 19 to Title 5, chapter 6, part 1;
- 20 (c) preparing correspondence to constituents during a  
 21 legislative session;
- 22 (d) conducting meetings with constituents during a  
 23 legislative session or between an election and the beginning  
 24 of a legislative session;
- 25 (e) donating to the public campaign fund established by

1 13-37-304; or  
 2 (f) returning the money to the contributors within 60  
 3 days following the election or defeat of the candidate or  
 4 the approval or defeat of the ballot issue for which it was  
 5 contributed.

6 (2) The legislature may accept and expend for the  
 7 purposes provided in subsections (1)(b) or (1)(c), or both,  
 8 contributions donated to it by a candidate or political  
 9 committee for those purposes.

10 **Section 2.** Section 13-37-226, MCA, is amended to read:

11 "13-37-226. Time for filing reports. (1) Candidates for  
 12 a state office filled by a statewide vote of all the  
 13 electors of Montana and political committees which are  
 14 specifically organized to support or oppose a particular  
 15 statewide candidate or issue shall file reports:

16 (a) quarterly, due on the fifth day following a  
 17 calendar quarter, beginning with the calendar quarter in  
 18 which funds are received or expended during the year or  
 19 years prior to the election year that:

- 20 (i) the candidate expects to be on the ballot; or
- 21 (ii) an issue subject to a referendum submitted by the  
 22 legislature or the people is or is expected to be on the  
 23 ballot;

24 (b) on the 10th day of March and September in each year  
 25 that an election is to be held and on the 15th and 5th days



1 next preceding the date on which an election is held and  
 2 within 24 hours after receiving a contribution of \$500 or  
 3 more if received between the 10th day before and the day of  
 4 the election;

5 (c) not more than 20 days after the date of the  
 6 election; and

7 (d) on the 10th day of March and September of each year  
 8 following an election until the candidate or political  
 9 committee files a closing report as specified in  
 10 13-37-228(3).

11 (2) Candidates for a state district office, including  
 12 but not limited to candidates for the legislature, public  
 13 service commission, or district court judge, and political  
 14 committees which are specifically organized to support or  
 15 oppose a particular state district candidate or issue shall  
 16 file reports:

17 (a) on the 10th day ~~next-preceding-the-date-on-which of~~  
 18 March and September in each year that an election is to be  
 19 held and on the 15th and 5th days preceding the date on  
 20 which an election is to be held and within 24 hours after  
 21 receiving a contribution of \$100 or more if received between  
 22 the 15th day before and the day of the election;

23 (b) not more than 20 days after the date of the  
 24 election; and

25 (c) whenever a candidate or political committee files

1 his or its closing report as specified in 13-37-228(3).

2 (3) Candidates for any other public office and  
 3 political committees which are specifically organized to  
 4 support or oppose a particular local issue shall be required  
 5 to file the reports specified in subsection (2) only if the  
 6 total amount of contributions received or the total amount  
 7 of funds expended for all elections in a campaign, excluding  
 8 the filing fee paid by the candidate, exceeds \$500, except  
 9 as provided in 13-37-206.

10 (4) For the purposes of this subsection, a committee  
 11 which is not specifically organized to support or oppose a  
 12 particular candidate or ballot issue and which receives  
 13 contributions and makes expenditures in conjunction with an  
 14 election is an independent committee. For the purpose of  
 15 reporting, a political party committee is an independent  
 16 committee. An independent committee shall file reports:

17 (a) on the 10th day next preceding the date of an  
 18 election in which it participates by making an expenditure;

19 (b) not more than 20 days after the date of the  
 20 election in which it participates by making an expenditure;  
 21 and

22 (c) a closing report at the close of each calendar  
 23 year, on a date to be prescribed by the commissioner.

24 (5) The commissioner may promulgate rules regarding the  
 25 extent to which organizations that are not primary political

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1 committees but are incidental political committees shall  
2 report their politically related activities in accordance  
3 with this chapter.

4 (6) All reports required by this section shall be  
5 complete as of the fifth day before the date of filing as  
6 specified in 13-37-225(2) and subsections (1) through (5) of  
7 this section."

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