

1 H BILL NO. 224  
 2 INTRODUCED BY *Rep. Steve Cooney*  
 3 *ins direct* *FAAG* *White* *Fate* *Kraus*

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO ENABLE CANDIDATES  
 5 FOR THE LEGISLATURE TO COMPLY WITH THE CAMPAIGN FINANCE  
 6 REPORTING REQUIREMENTS BY FILING A SINGLE, SIMPLIFIED REPORT  
 7 FOR AN ELECTION WHENEVER CONTRIBUTIONS AND EXPENDITURES DO  
 8 NOT EXCEED \$5,000; AMENDING SECTIONS 23-4778 AND 23-4779,  
 9 R.C.M. 1947."

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

12 Section 1. Section 23-4778, R.C.M. 1947, is amended to  
 13 read as follows:

14 "23-4778. Reports of contributions and expenditures  
 15 required. (1) ~~Each~~ Except as provided in subsection (2),  
 16 each candidate and political committee shall file periodic  
 17 reports of contributions and expenditures made by or on the  
 18 behalf of a candidate or political committee. All reports  
 19 required by this section shall be filed with the  
 20 commissioner and with the county clerk and recorder of the  
 21 county in which a candidate is a resident or the political  
 22 committee has its headquarters. However, where residency  
 23 within a district, county, city, or town is not a  
 24 prerequisite for being a candidate, copies of all reports  
 25 shall be filed with the county clerk and recorder of the

1 county in which the election is to be held, or if the  
 2 election is to be held in more than one county, with the  
 3 clerk and recorder in the county that the commissioner shall  
 4 specify.

5 (2) In lieu of all contribution and expenditure  
 6 reports required by this act, the commissioner shall accept  
 7 copies of the reports filed by candidates for congress and  
 8 president of the United States, and their political  
 9 committees, pursuant to the requirements of federal law.

10 (3) Candidates for a state office filled by a  
 11 statewide vote of all the voters of Montana, the political  
 12 committees for such candidates, and political committees  
 13 organized to support or oppose a statewide issue, shall file  
 14 reports:

15 (a) on the tenth day of March and September, in each  
 16 year that an election is to be held, and on the fifteenth  
 17 and fifth days next preceding the date on which an election  
 18 is held, and within twenty-four (24) hours after receiving a  
 19 contribution of five hundred dollars (\$500) or more at any  
 20 time after the last pre-election report;

21 (b) not more than twenty (20) days after the date of  
 22 the election;

23 (c) on the tenth day of March and September of each  
 24 year following an election so long as there is an  
 25 unexpended balance or an expenditure deficit in a campaign

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1 account; and

2 (d) whenever a candidate or political committee  
3 finally closes its books.

4 ~~(4) Candidates Except as provided in subsection (9),~~  
5 candidates for a state district office, including but not  
6 limited to, candidates for the legislature, public service  
7 commission, or district court judge, their political  
8 committees, and political committees organized to support or  
9 oppose district issues, shall file reports:

10 (a) on the tenth day next preceding the date on which  
11 an election is held, and within twenty-four (24) hours after  
12 receiving a contribution of one hundred dollars (\$100) or  
13 more at any time after the last pre-election report;

14 (b) not more than twenty (20) days after the date of  
15 the election;

16 (c) whenever a candidate or political committee  
17 finally closes its books.

18 (5) Candidates for any other public office, their  
19 political committees, and political committees organized to  
20 support or oppose local issues, shall be required to file  
21 the reports specified in subsection (4) only if the total  
22 amount of contributions received or the total amount of  
23 funds expended for an election, excluding the filing fee  
24 paid by the candidate, exceed five hundred dollars (\$500).

25 (6) All reports required by this section shall be

1 complete as of the date prescribed by the commissioner,  
2 which shall not be less than five (5) or more than ten (10)  
3 days before the date of filing as specified in subsections  
4 (2) through (5) of this section.

5 (7) The commissioner shall adopt rules and regulations  
6 that will permit political committees, including political  
7 parties, to file copies of a single comprehensive report  
8 when they support or oppose more than one candidate or  
9 issue.

10 ~~(8) Reports Except as provided in subsection (9),~~  
11 reports filed under this section shall be filed to cover the  
12 following time periods:

13 (a) the initial report shall cover all contributions  
14 received or expenditures made by a candidate or political  
15 committee prior to the time that a person became a candidate  
16 as defined in subsection (1) of section 23-4777 until the  
17 date prescribed by the commissioner for the filing of the  
18 appropriate initial report pursuant to subsections (2)  
19 through (5) of this section;

20 (b) subsequent periodic reports shall cover the period  
21 of time from the closing of the previous report to a date  
22 prescribed by the commissioner, which shall not be less than  
23 five (5) days or more than ten (10) days before the date of  
24 filing;

25 (c) final reports shall cover the period of time from

1 the last periodic report to the final closing of the books  
2 of the candidate or political committee.

3 (9) (a) A candidate for the legislature who receives  
4 contributions of less than \$5,000 and makes expenditures of  
5 less than \$5,000 for an election may satisfy the filing  
6 requirements of this section by submitting one report not  
7 later than 20 days after the election.

8 (b) The report shall cover the time period commencing  
9 as provided in subsection (8)(a) and ending as prescribed by  
10 the commissioner.

11 (c) The commissioner shall adopt rules to enable a  
12 candidate to comply with the filing requirements of this  
13 section if the candidate believed in good faith that the  
14 provisions of this subsection would be applicable, but in  
15 fact the \$5,000 limitation on contributions or expenditures  
16 was exceeded."

17 Section 2. Section 23-4779, B.C.M. 1947, is amended to  
18 read as follows:

19 "23-4779. What reports must disclose. ~~Each~~ Except as  
20 provided in [section 3], each report required by this act  
21 shall disclose the following information, ~~except that a~~ a  
22 candidate shall only be required to report the information  
23 specified in this section if the transactions involved were  
24 undertaken for the purpose of influencing an election:

25 (1) the amount of cash on hand at the beginning of the

1 reporting period;

2 (2) the full name and mailing address (occupation and  
3 the principal place of business, if any) of each person who  
4 has made aggregate contributions, other than loans, of  
5 twenty-five dollars (\$25) or more to the candidate or  
6 political committee (including the purchase of tickets for  
7 events such as dinners, luncheons, rallies, and similar  
8 fund-raising events) within the reporting period together  
9 with the aggregate amount of those contributions, and the  
10 total amount of contributions made by that person;

11 (3) the total sum of individual contributions made to  
12 or for the political committee or candidate and not reported  
13 under subsection (2) of this section;

14 (4) the name and address of each political committee  
15 or candidate from which the reporting committee or candidate  
16 received any transfer of funds together with the amount and  
17 dates of all those transfers;

18 (5) each loan from any person during the reporting  
19 period together with the full names and mailing addresses  
20 (occupation and principal place of business, if any) of the  
21 lender and endorsers, if any, and the date and amount of  
22 each loan;

23 (6) the amount and nature of debts and obligations  
24 owed to a political committee or candidates in the form  
25 prescribed by the commissioner;

1 (7) an itemized account of proceeds from:  
 2 (a) the sale of tickets to each dinner, luncheon,  
 3 rally, and other fund-raising events;  
 4 (b) mass collections made at such an event; and  
 5 (c) sales of items such as political campaign pins,  
 6 buttons, badges, flags, emblems, hats, banners, literature,  
 7 and similar materials;  
 8 (8) each contribution, rebate, refund, or other  
 9 receipt not otherwise listed under subsections (2) through  
 10 (6) of this section during the reporting period;  
 11 (9) the total sum of all receipts received by or for  
 12 the committee or candidate during the reporting period;  
 13 (10) the full name and mailing address (occupation and  
 14 the principal place of business, if any) of each person to  
 15 whom expenditures have been made by the committee or  
 16 candidate during the reporting period, including the amount,  
 17 date, and purpose of each expenditure and the total amount  
 18 of expenditures made to each person;  
 19 (11) the full name and mailing addresses (occupation  
 20 and the principal place of business, if any) of each person  
 21 to whom an expenditure for personal services, salaries, and  
 22 reimbursed expenses have been made, including the amount,  
 23 date, and purpose of that expenditure and the total amount  
 24 of expenditures made to each person;  
 25 (12) the total sum of expenditures made by a political

1 committee or candidate during the reporting period;  
 2 (13) the name and address of each political committee  
 3 or candidate to which the reporting committee or candidate  
 4 made any transfer of funds together with the amount and  
 5 dates of all those transfers;  
 6 (14) the name of any person to whom a loan was made  
 7 during the reporting period, including the full name and  
 8 mailing address (occupation and principal place of business,  
 9 if any) of that person, and the full name and mailing  
 10 address (occupation and principal place of business, if any)  
 11 of the endorsers, if any, and the date and amount of each  
 12 loan;  
 13 (15) the amount and nature of debts and obligations  
 14 owed by a political committee or candidate in the form  
 15 prescribed by the commissioner;  
 16 (16) other information that may be required by the  
 17 commissioner to fully disclose the sources and disposition  
 18 of funds used to support or oppose candidates or issues."  
 19 Section 3. There is a new R.C.M. section that reads as  
 20 follows:  
 21 Short form campaign finance report. A candidate for the  
 22 legislature who is satisfying the filing requirements of  
 23 23-4778 by filing a report under the provisions of  
 24 23-4778(9) shall supply the following information:  
 25 (1) the full name and address of each person who has

1 contributed in the aggregate more than \$25 and the amount  
2 contributed;

3 (2) a list of all expenditures made during the  
4 campaign, indicating to whom made and the amount;

5 (3) the amount of indebtedness incurred by the  
6 candidate remaining unpaid on the day following the  
7 election.

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