

HOUSE BILL 586

IN THE HOUSE

February 6, 1979

Introduced and referred to
Committee on Judiciary.

1 *House* BILL NO. *586*
 2 INTRODUCED BY *Fergus Manning - Frater*
 3 *Orrell* *Hubert* *Bill* *H. Robb* *Dozier*

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROHIBIT THE
 5 PUBLICATION OF ANY MATTER DESIGNED TO INJURE OR DEFEAT A
 6 CANDIDATE, POLITICAL PARTY, POLITICAL COMMITTEE, OR OTHER
 7 ORGANIZATION IN AN ELECTION UNLESS THE CANDIDATE, PARTY,
 8 COMMITTEE, OR ORGANIZATION REFERRED TO THEREIN HAS RECEIVED
 9 PRIOR NOTICE OF THE CONTENTS OF THE MATTER; AMENDING
 10 SECTIONS 13-35-224 AND 13-35-225, MCA."

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

12 Section 1. Section 13-35-224, MCA, is amended to read:
 13 "13-35-224. Publications in newspapers and
 14 periodicals. (1) No publisher of a newspaper or other
 15 periodical may insert, either in its advertising or reading
 16 columns, any paid matter which is designed or tends to aid,
 17 injure, or defeat any candidate, any political party or
 18 organization, or any measure before the people, unless it is
 19 stated therein that it is a paid advertisement and unless
 20 the candidate, political party, or organization mentioned in
 21 the paid matter has been notified by the publisher of its
 22 content prior to its being printed. The name of the chairman
 23 or secretary, the names of the other officers of the
 24 political or other organization inserting the same, or the

1 name of some voter who is responsible therefor (with his
 2 address) is to appear in such advertisement.

3 (2) No person may pay the owner, editor, publisher, or
 4 agent of any newspaper or other periodical to induce him to
 5 editorially advocate or oppose any candidate for nomination
 6 or election, and no such owner, editor, publisher, or agent
 7 may accept such payment.

8 (3) A person who violates this section is guilty of a
 9 misdemeanor."

10 Section 2. Section 13-35-225, MCA, is amended to read:

11 "13-35-225. Election materials not to be anonymous. It
 12 is unlawful to write, print, publish, mimeograph, type, or
 13 otherwise produce or circulate through the mails or
 14 otherwise any letter, circular, bill, dodger, pamphlet,
 15 placard, poster, or other document relating to any election
 16 or to any candidate, political party, political committee,
 17 or ballot issue at any election, unless the same bears on
 18 its face the name and address of the person paying for the
 19 printing or publishing and the name of the printer and
 20 publisher and unless each candidate, political party, or
 21 political committee referred to in such document has been
 22 notified of its content prior to its being printed. A person
 23 writing, printing, publishing, circulating, posting,
 24 mimeographing, typing, or causing to be written, printed,
 25 circulated, posted, mimeographed, typed, or published any

1 such letter, bill, placard, dodger, pamphlet, circular,
2 poster, or other document which fails to bear on its face
3 the name and address of the person paying for the printing
4 or publishing and the name of the printer or publisher or
5 who fails to give the required notification prior to
6 printing is guilty of an illegal practice and shall on
7 conviction thereof be punished by a fine of not less than
8 \$10 or more than \$1,000."

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