

HB 609 INTRODUCED BY THOMAS
GENERALLY REVISING CAMPAIGN FINANCE LAWS

2/04 INTRODUCED
2/04 REFERRED TO STATE ADMINISTRATION
2/11 HEARING
2/12 COMMITTEE REPORT--BILL NOT PASSED
2/13 ADVERSE COMMITTEE REPORT ADOPTED

90 7

1 House BILL NO. 609
 2 INTRODUCED BY Thomas
 3
 4 A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING THE
 5 CAMPAIGN FINANCE LAWS; REVISING PROVISIONS CONCERNING
 6 LIMITATIONS ON CONTRIBUTIONS FROM POLITICAL COMMITTEES AND
 7 THE FILING AND CONTENT OF REPORTS DISCLOSING CONTRIBUTIONS
 8 AND EXPENDITURES; AND AMENDING SECTIONS 13-37-218,
 9 13-37-225, 13-37-226, AND 13-37-229, MCA."

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

12 Section 1. Section 13-37-218, MCA, is amended to read:
 13 "13-37-218. Limitations on receipts from political
 14 committees. (1) A candidate for the state senate may receive
 15 no more than \$1,000 in total combined ~~monetary~~ contributions
 16 from all political committees contributing to his campaign,
 17 and a candidate for the state house of representatives may
 18 receive no more than \$600 in total combined ~~monetary~~
 19 contributions from all political committees contributing to
 20 his campaign. The foregoing limitations shall be multiplied
 21 by the inflation factor as defined in 15-30-101(8) for the
 22 year in which general elections are held after 1984; the
 23 resulting figure shall be rounded off to the nearest \$50
 24 increment. The commissioner of political practices shall
 25 publish the revised limitations as a rule. In-kind

1 contributions ~~may--not~~ must be included in computing these
 2 limitation totals. The limitation provided in this section
 3 does not apply to contributions made by a political party
 4 eligible for a primary election under 13-10-601.

5 (2) For purposes of this section, "contributions"
 6 means an advance, gift, loan, conveyance, deposit, payment,
 7 or distribution of money or anything of value to influence
 8 an election, including but not limited to postage stamps,
 9 contracted services, personal services, and payment of
 10 campaign debts such as printing and advertising debts."

11 Section 2. Section 13-37-225, MCA, is amended to read:

12 "13-37-225. Reports of contributions and expenditures
 13 required. (1) Except as provided in 13-37-206, each
 14 candidate and political committee shall file periodic
 15 reports of contributions and expenditures made by or on the
 16 behalf of a candidate or political committee.

17 (2) (a) All The following candidates and political
 18 committees shall file reports required by this chapter ~~shall~~
 19 ~~be filed~~ with the commissioner and with the county clerk and
 20 recorder of the county in which ~~a~~ the candidate is a
 21 resident, except as provided in subsection (3), or the
 22 political committee has its headquarters;

23 (i) candidates for a state office filled by a
 24 statewide vote of all the electors of Montana;

25 (ii) candidates for a state district office, including

1 but not limited to candidates for the legislature, public
 2 service commission, or district court judge; and

3 (iii) political committees that are specifically
 4 organized to support or oppose a particular statewide
 5 candidate or issue or state district candidate or issue.

6 (b) Candidates and political committees other than
 7 those specified in subsection (2)(a) shall file reports
 8 required by this chapter with the county clerk and recorder
 9 of the county in which the candidate is a resident, except
 10 as provided in subsection (3).

11 (3) However,--where If residency within a district,
 12 county, city, or town is not a prerequisite for being a
 13 candidate, copies of all reports ~~shall~~ must be filed with
 14 the county clerk and recorder of the county in which the
 15 election is to be held or, if the election is to be held in
 16 more than one county, with the clerk and recorder in the
 17 county that the commissioner specifies.

18 ~~(2)(4)~~ In lieu of all contribution and expenditure
 19 reports required by this chapter, the commissioner shall
 20 accept copies of the reports filed by candidates for
 21 congress and president of the United States and their
 22 political committees pursuant to the requirements of federal
 23 law."

24 Section 3. Section 13-37-226, MCA, is amended to read:

25 "13-37-226. Time for filing reports. (1) Candidates

1 for a state office filled by a statewide vote of all the
 2 electors of Montana and political committees which are
 3 specifically organized to support or oppose a particular
 4 statewide candidate or issue shall file reports:

5 (a) on the 10th day of March and September in each
 6 year that an election is to be held and on the ~~15th~~ 25th and
 7 ~~5th~~ 10th days next preceding the date on which an election
 8 is held and within 24 hours after receiving a contribution
 9 of \$500 or more if received between the ~~10th~~ 15th day before
 10 and the day of the election;

11 (b) not more than 20 days after the date of the
 12 election; and

13 (c) on the 10th day of March and September of each
 14 year following an election until the candidate or political
 15 committee files a closing report as specified in
 16 13-37-228(3).

17 (2) Candidates for a state district office, including
 18 but not limited to candidates for the legislature, public
 19 service commission, or district court judge, and political
 20 committees which are specifically organized to support or
 21 oppose a particular state district candidate or issue shall
 22 file reports:

23 (a) on the ~~10th~~ 20th day next preceding the date on
 24 which an election is held and within 24 hours after
 25 receiving a contribution of \$100 or more if received between

1 the ~~15th~~ 25th day before and the day of the election;

2 (b) not more than 20 days after the date of the
3 election; and

4 (c) on the 10th day of March and September of each
5 year following an election until the candidate or political
6 committee files a closing report as specified in
7 13-37-228(3); and

8 ~~(c)~~(d) whenever a candidate or political committee
9 files his or its closing report as specified in
10 13-37-228(3).

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

19 (4) For the purposes of this subsection, a committee
20 which is not specifically organized to support or oppose a
21 particular candidate or ballot issue and which receives
22 contributions and makes expenditures in conjunction with an
23 election is an independent committee. For the purpose of
24 reporting, a political party committee is an independent
25 committee. An independent committee shall file reports:

1 (a) on the ~~10th~~ 20th day next preceding the date of an
2 election in which it participates by making an expenditure;
3 and within 24 hours after receiving a contribution of \$500
4 or more if received between the 15th day before and the day
5 of the election;

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

9 (c) a mid-year report on June 30 of each odd-numbered
10 year; and

11 ~~(c)~~(d) a closing report at the close of each calendar
12 year, on a date to be prescribed by the commissioner.

13 (5) The commissioner may promulgate rules regarding
14 the extent to which organizations that are not primary
15 political committees but are incidental political committees
16 shall report their politically related activities in
17 accordance with this chapter. However, an independent
18 committee or an incidental political committee shall
19 disclose the names of those candidates that the committee is
20 supporting or opposing and specify all activities undertaken
21 in support or opposition to those candidates.

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

1 Section 4. Section 13-37-229, MCA, is amended to read:
 2 "13-37-229. Disclosure of contributions received. Each
 3 report required by this chapter shall disclose the following
 4 information:

5 (1) the amount of cash on hand at the beginning of the
 6 reporting period;

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

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

19 (4) the name and address of each political committee
 20 or candidate from which the reporting committee or candidate
 21 received any transfer of funds, together with the amount and
 22 dates of all transfers;

23 (5) each loan from any person during the reporting
 24 period, together with the full names and mailing addresses
 25 (occupation and principal place of business, if any) of the

1 lender and endorsers, if any, and the date and amount of
 2 each loan;

3 (6) the amount and nature of debts and obligations
 4 owed to a political committee or candidates, in the form
 5 prescribed by the commissioner;

6 (7) an itemized account of proceeds which total less
 7 than \$25 from a person from mass collections made at
 8 fund-raising events;

9 (8) each contribution, rebate, refund, or other
 10 receipt not otherwise listed under subsections (2) through
 11 (7) of this section during the reporting period;

12 (9) the total sum of all receipts received by or for
 13 the committee or candidate during the reporting period;

14 (10) other information that may be required by the
 15 commissioner to fully disclose the sources of funds used to
 16 support or oppose candidates or issues."

17 NEW SECTION. Section 5. Extension of authority. Any
 18 existing authority of the commissioner of political
 19 practices to make rules on the subject of the provisions of
 20 this act is extended to the provisions of this act.

-End-