

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

SENATE BILL NO. 72

INTRODUCED BY Doherty Bartlett

A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING THE NUMBER OF CAMPAIGN REPORTS FILED BY CANDIDATES FOR STATE DISTRICT OFFICE TO INCLUDE REPORTS ON AUGUST 1, SEPTEMBER 1, AND OCTOBER 1; AND AMENDING SECTION 13-37-226, MCA."

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

Section 1. Section 13-37-226, MCA, is amended to read:

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

(a) quarterly, due on the fifth day following a calendar quarter, beginning with the calendar quarter in which funds are received or expended during the year or years prior to the election year that the candidate expects to be on the ballot;

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

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

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

(2) Political committees organized to support or oppose a particular statewide ballot issue shall file reports:

(a) quarterly, due on the fifth day following a calendar quarter, beginning with the calendar quarter in which funds are received or expended during the year or years prior to the election year that an issue subject to a referendum is or is expected to be on the ballot;

(b) on the 10th day of March and on the 10th day of each subsequent month through September;

(c) on the 15th and 5th days preceding the date on which an election is held;

(d) within 24 hours after receiving a contribution of \$500 or more if received between the 10th



1 day before the election and the day of the election;

2 (e) within 20 days after the election; and

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

5 (3) Candidates for a state district office, including but not limited to candidates for the legislature,
6 the public service commission, or a district court judge, and political committees that are specifically
7 organized to support or oppose a particular state district candidate or issue shall file reports:

8 (a) on August 1, on September 1, on October 1, on the 12th day preceding the date on which an
9 election is held, and within 24 hours after receiving a contribution of \$100 or more if received between the
10 17th day before and the day of the election;

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

12 (c) whenever a candidate or political committee files a closing report as specified in 13-37-228(3).

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

17 (5) For the purposes of this subsection, a committee that is not specifically organized to support
18 or oppose a particular candidate or ballot issue and that receives contributions and makes expenditures in
19 conjunction with an election is an independent committee. For the purpose of reporting, a political party
20 committee is an independent committee. An independent committee shall file ~~reports~~:

21 (a) reports on the 12th day preceding the date of an election in which it participates by making an
22 expenditure;

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

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

27 (6) The commissioner may promulgate rules regarding the extent to which organizations that are
28 not primary political committees but are incidental political committees shall report their politically related
29 activities in accordance with this chapter.

30 (7) All reports required by this section must be complete as of the fifth day before the date of filing

1 as specified in 13-37-225(2) and this section."

2 -END-

STATE OF MONTANA - FISCAL NOTE

Fiscal Note for SB0072, as introduced

DESCRIPTION OF PROPOSED LEGISLATION:

Increases the number of required campaign finance reports that must be filed by candidates for state district office.

ASSUMPTIONS:

1. The bill will require state district candidates to file three additional reports during the election cycle in addition to the four currently required by statute. Present law requires that state district candidates file pre-primary, post-primary, pre-general and post-general reports. (The post-general report may also be the closing report, if all campaign debts are paid.)
2. The required reports for state district candidates will almost double. Present law requires that reports be reviewed within ten days of receipt of each report. Public interest in these financial reports generates many telephone requests, walk-ins, copying and faxing; press and media interest also generate additional activity.
3. It is estimated that 1,200 additional reports will be filed with the Commissioner of Political Practices each state district election cycle and the average review and follow-up workload is two hours per report (1,200 X 2 = 2,400 hours). The hours for 1.00 FTE are approximately 2,080 per year. It is estimated that the 1.15 (2,400/2,080) additional Grade 11 FTE will be required during the 1997 biennium and that the position will be filled during May, 1996, for start-up and training purposes.

FISCAL IMPACT:

Expenditures:

	<u>FY96</u>	<u>FY97</u>
	<u>Difference</u>	<u>Difference</u>
Commissioner of Political Practices:		
FTE	0.15	1.00
Personal Services	3,753	25,104
Operating Expenses	258	4,250
Equipment	<u>4,700</u>	<u>0</u>
Total	8,711	29,354
General Fund (01)	8,711	29,354

LONG-RANGE EFFECTS OF PROPOSED LEGISLATION:

The fiscal impact in the 1997 biennium is expected to continue at a comparable level in future biennia.

Dave Lewis 1-15-95
DAVE LEWIS, BUDGET DIRECTOR DATE
Office of Budget and Program Planning

STEVE DOHERTY, PRIMARY SPONSOR DATE

Fiscal Note for SB0072, as introduced

SB 72