

1 _____ BILL NO. _____

2 INTRODUCED BY _____
3 (Primary Sponsor)

4 A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING A PUBLIC EMPLOYEE OF THE STATE OR AN
5 APPOINTED STATE OFFICER FROM ENGAGING IN POLITICAL ACTIVITY UNLESS THE EMPLOYEE OR
6 OFFICER IS A CANDIDATE FOR PUBLIC OFFICE OR HOLDS A PUBLIC OFFICE; AND PROVIDING AN
7 EFFECTIVE DATE AND AN APPLICABILITY PROVISION."

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

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11 NEW SECTION. **Section 1. Prohibition on political activity by state employees.** (1) Except as
12 provided in 2-2-121(3), a public employee of the state or an appointed state officer may not:

13 (a) use the individual's official authority or influence for the purpose of interfering with or affecting the
14 result of an election or a nomination for office; or

15 (b) directly or indirectly coerce, attempt to coerce, command, or advise a state or local government
16 officer or employee to pay, lend, or contribute anything of value to a party, committee, organization, agency, or
17 person for political purposes.

18 (2) A public employee of the state or an appointed state officer retains the right to vote as the individual
19 chooses and to express the individual's opinions on political subjects and candidates.

20 (3) Subsection (1) does not prohibit a public employee of the state or an appointed state officer from
21 being a candidate in any election or from performing the duties of an office to which the public employee of the
22 state or appointed state officer is elected.

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24 NEW SECTION. **Section 2. Codification instruction.** [Section 1] is intended to be codified as an
25 integral part of Title 2, chapter 2, part 1, and the provisions of Title 2, chapter 2, part 1, apply to [section 1].

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27 NEW SECTION. **Section 3. Effective date.** [This act] is effective July 1, 2003.

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29 NEW SECTION. **Section 4. Applicability.** [This act] applies to candidacies and elections that occur
30 after [the effective date of this act]. [Section 1] may not be construed to remove any person from an office to



1 which the person was elected prior to [the effective date of this act].

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