

SENATE BILL NO. 455

INTRODUCED BY COONEY

A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING LAWS GOVERNING BALLOT MEASURES; REVISING REPORTING REQUIREMENTS RELATED TO PAID SIGNATURE GATHERERS; REQUIRING THE DISPLAY OF CERTAIN PETITION INFORMATION AT POLLING PLACES DURING STATEWIDE PRIMARY ELECTIONS; AND AMENDING SECTIONS 13-27-101, 13-27-112, AND 13-27-208, MCA."

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

Section 1. Section 13-27-101, MCA, is amended to read:

"13-27-101. Establishment of initiative and referendum procedures. The ~~right~~ power of the people to petition to enact laws by initiative, to petition to approve or reject by referendum any act of the legislature except an appropriation of money, to call for a vote on whether there ~~shall be~~ is a constitutional convention, and to propose constitutional amendments by initiative as guaranteed by The Constitution of the State of Montana may be exercised through adherence to the procedures established in this chapter."

Section 2. Section 13-27-112, MCA, is amended to read:

"13-27-112. Required reports -- time and manner of reporting -- exceptions -- penalty. (1) Except as provided in this section, a person who employs a paid signature gatherer shall file with the commissioner reports containing those matters required by Title 13, chapter 37, part 2, for a political committee organized to support or oppose a ballot issue or for an independent committee that receives contributions and makes expenditures in connection with a ballot issue, as applicable. If a person who employs a paid signature gatherer is required by Title 13, chapter 37, part 2, to file a report pursuant to those provisions, the person need not file a duplicate report pursuant to this section; but shall report the matter required by subsection (2) as part of that report.

(2) (a) As used in this section, "a person who employs a paid signature gatherer" means a political party, political committee, or other person seeking to place a ballot issue before the electors ~~and~~.

(b) The term does not mean an individual who is part of the same signature gathering company,

partnership, or other business organization that directly hires, supervises, and pays an individual who is a signature gatherer.

~~(2)~~(3) The reports required by subsection (1) must include the total amount paid to ~~a~~ all paid signature gatherer ~~gatherers~~.

~~(3)~~(4) Reports filed pursuant to this section must be filed at the same time, in the same manner, including the certification required by 13-37-231, and upon the same forms as required for reports filed pursuant to Title 13, chapter 37, part 2, except as the rules of the commissioner may otherwise provide.

~~(4)~~(5) A person who violates subsection (1) is guilty of a misdemeanor and upon conviction shall be punished as provided by law."

Section 3. Section 13-27-208, MCA, is amended to read:

"13-27-208. Petitions to be made available in each county election administrator's office -- display of certain petition information at polling places. (1) Upon final approval of a petition as required under 13-27-202(4), the secretary of state shall forward a copy of the petition, along with signature sheets, to the election administrator of each county. The election administrator shall make a copy of each approved petition available for reading and signing in the administrator's office during business hours in an election year until the petitions are submitted under 13-27-301. The secretary of state may charge the person who submitted the petition a fee, which must be set and deposited in accordance with 2-15-405.

(2) An election administrator shall display in a conspicuous manner at each polling place during a statewide primary election the following information from each approved petition:

(a) the number of the petition;

(b) the petition title; and

(c) the statements of implications; AND

(D) A FISCAL STATEMENT, IF REQUIRED PURSUANT TO 13-27-312."

- END -