

HOUSE BILL NO. 145

INTRODUCED BY K. PETERSON

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4 A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING A LEGISLATOR FROM BEING EMPLOYED BY A
5 LOCAL GOVERNMENT, THE FEDERAL GOVERNMENT, THE JUDICIAL BRANCH, OR ANOTHER STATE
6 AGENCY WHILE IN OFFICE; PROHIBITING A LEGISLATOR FROM SERVING AS AN INDEPENDENT
7 CONTRACTOR TO A LOCAL GOVERNMENT, THE FEDERAL GOVERNMENT, THE JUDICIAL BRANCH, OR
8 ANOTHER STATE AGENCY WHILE IN OFFICE; REQUIRING A CURRENT LEGISLATOR EMPLOYED BY OR
9 SERVING AS AN INDEPENDENT CONTRACTOR TO A LOCAL GOVERNMENT, THE FEDERAL
10 GOVERNMENT, THE JUDICIAL BRANCH, OR ANOTHER STATE AGENCY TO RESIGN FROM THE
11 LEGISLATURE; AMENDING SECTION 2-2-111, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE
12 AND AN APPLICABILITY DATE."

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

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16 **Section 1.** Section 2-2-111, MCA, is amended to read:

17 **"2-2-111. Rules of conduct for legislators.** Proof of commission of any act enumerated in this section
18 is proof that the legislator committing the act has breached the legislator's public duty. A legislator may not:

19 (1) accept a fee, contingent fee, or any other compensation, except the official compensation provided
20 by statute, for promoting or opposing the passage of legislation;

21 (2) seek other employment for the legislator or solicit a contract for the legislator's services by the use
22 of the office; or

23 (3) accept a fee or other compensation, except as provided for in 5-2-302, from a Montana state agency
24 or a political subdivision of the state of Montana for speaking to the agency or political subdivision;

25 (4) be employed by a local government, the federal government, the judicial branch, or a state agency
26 other than the legislature during the legislator's term in office; or

27 (5) accept a position as an independent contractor to a local government, the federal government, the
28 judicial branch, or state agency other than the legislature during the legislator's term in office."

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30 NEW SECTION. **Section 2. Resignation from legislature -- termination of government**



1 **employment.** A legislator who is employed as provided in 2-2-111(4) or (5) on or after [the effective date of this
2 act] shall either resign from the legislature or terminate the government employment.

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4 NEW SECTION. **Section 3. Effective date.** [This act] is effective on passage and approval.

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6 NEW SECTION. **Section 4. Applicability.** [This act] applies to a legislator who is employed as provided
7 in 2-2-111(4) or (5) on or before [the effective date of this act].

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