

1 HOUSE BILL NO. 580

2 INTRODUCED BY K. WILLIAMS

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4 A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING THE COMMISSIONER OF POLITICAL PRACTICES
5 TO ENFORCE THE PROHIBITION ON AUTOMATIC DIALING OR "ROBOCALLING" FOR POLITICAL
6 PURPOSES; AND AMENDING SECTIONS 13-35-214 AND 13-37-128, MCA."

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

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10 **Section 1.** Section 13-35-214, MCA, is amended to read:

11 **"13-35-214. Illegal influence of voters.** A person may not, directly or indirectly, individually or through
12 any other person, for any election, in order to induce any elector to vote or refrain from voting or to vote for or
13 against any particular candidate, political party ticket, or ballot issue:

14 (1) give, lend, agree to give or lend, offer, or promise any money, liquor, or valuable consideration or
15 promise or endeavor to procure any money, liquor, or valuable consideration;

16 (2) promise to appoint another person or promise to secure or aid in securing the appointment,
17 nomination, or election of another person to a public or private position or employment or to a position of honor,
18 trust, or emolument in order to aid or promote the candidate's nomination or election, except that the candidate
19 may publicly announce or define the candidate's choice or purpose in relation to an election in which the
20 candidate may be called to take part if elected;

21 (3) pursuant to 45-8-216(1)(e), use an automated telephone system, device, or facsimile machine for
22 the selection and dialing of telephone numbers and playing of recorded messages."

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24 **Section 2.** Section 13-37-128, MCA, is amended to read:

25 **"13-37-128. Cause of action created.** (1) A person who intentionally or negligently violates any of the
26 reporting provisions of this chapter, a provision of 13-35-214 or 13-35-225, or a provision of Title 13, chapter 35,
27 part 4, is liable in a civil action brought by the commissioner or a county attorney pursuant to the provisions
28 outlined in 13-37-124 and 13-37-125 for an amount up to \$500 or three times the amount of the unlawful
29 contributions or expenditures, whichever is greater.

30 (2) A person who makes or receives a contribution or expenditure in violation of 13-35-227, 13-35-228,

1 or this chapter or who violates 13-35-226 is liable in a civil action brought by the commissioner or a county
2 attorney pursuant to the provisions outlined in 13-37-124 and 13-37-125 for an amount up to \$500 or three times
3 the amount of the unlawful contribution or expenditure, whichever is greater."

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