

Amendments to House Bill No. 483
3rd Reading Copy

Requested by Senator Joe Balyeat

For the Senate State Administration Committee

Prepared by Rachel Weiss
March 29, 2011 (6:09am)

1. Title, page 1, line 5.

Strike: "AND COMMUNITY GROUPS"

Following: "IN"

Insert: "ISSUE AND"

2. Title, page 1, line 6 through line 7.

Strike: "FREEDOM" on line 6 through "EXPRESSION" on line 7

Insert: "THE FREE EXERCISE OF RELIGION AS GUARANTEED BY THE FIRST AMENDMENT OF THE UNITED STATES CONSTITUTION AND ARTICLE II, SECTION 5, OF THE MONTANA CONSTITUTION"

3. Title, page 1, line 9.

Following: "IN"

Insert: "ISSUE AND"

4. Title, page 1, line 10.

Strike: "2-2-121,"

Following: "13-1-101"

Strike: ", "

Insert: "AND"

Following: "13-37-226,"

Strike: "AND 13-37-228,"

5. Page 2, line 4.

Strike: "."

Insert: "; and

WHEREAS, Article II, section 5, of the Montana Constitution and the First Amendment to the United States Constitution prohibit the state and Congress from making a law that prohibits the free exercise of religion."

6. Page 2, line 8 through page 4, line 16.

Strike: section 1 in its entirety

Renumber: subsequent sections

7. Page 5, line 1 through line 4.

Strike: subsection (6) in its entirety

Renumber: subsequent subsections

8. Page 5, line 29 through line 30.

Strike: subsection (iii) in its entirety

Insert: "(iii) the cost of any communication by a bona fide church relating to an issue or ballot issue that is made in the normal course of exercising its freedom of religious expression;"

9. Page 6, line 14.

Strike: "(8)"

Insert: "(7)"

10. Page 6, line 19 through line 20.

Strike: subsection (iv) in its entirety

Insert: "(iv) the cost of any communication by a bona fide church relating to an issue or ballot issue that is made in the normal course of exercising its freedom of religious expression; or"

11. Page 7, line 18 through line 19.

Strike: subsection (21) in its entirety

Renumber: subsequent subsections

12. Page 7, line 22.

Strike: "(7)"

Insert: "(6)"

13. Page 7, line 25.

Strike: "(a)"

14. Page 7, line 27.

Strike: "(i)"

Insert: "(a)"

Renumber: subsequent subsections

15. Page 7, line 29.

Following: line 29

Insert: "(b) to support or oppose a ballot issue or a committee organized to support or oppose a ballot issue; or"

Renumber: subsequent subsections

16. Page 7, line 30 through page 8, line 1.

Strike: "to support" through "committee"

17. Page 9, line 6 through page 11, line 6.

Strike: section 3 in its entirety

Insert: "**Section 2.** Section 13-37-226, MCA, is amended to read:
"**13-37-226. Time for filing reports -- rulemaking.** (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 electronically as follows:

(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, April, July, August, and 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 \$200 or more if received between the 10th day before the election and the day of the election;

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

(f) 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 the text of the proposed ballot issue is submitted for review and approval pursuant to 13-27-202 during the year or years prior to the election year that an issue 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 in each year that an election is to be held;

(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 day before the election and the day of the election;

(e) within 20 days after the election; and

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

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

(a) on the 12th day preceding the date on which an election is held;

(b) within 48 hours after receiving a contribution of \$100 or more if received between the 17th day before the election and the day of the election. The report under this subsection (3) (b) must be made by mail or by electronic communication to the commissioner and the election administrator of the appropriate county pursuant to 13-37-225.

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

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

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

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

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

(b) a report within 24 hours of making an expenditure or incurring a debt or obligation of \$500 or more for election material described in 13-35-225(1) if made between the 17th day before the election and the day of the election;

(c) a report not more than 20 days after the date of the election in which it participates by making an expenditure; and

(d) a report on a date to be prescribed by the commissioner for a closing report at the close of each calendar year.

(6) The commissioner may promulgate rules regarding the extent to which organizations that are incidental political committees shall report their politically related activities in accordance with this chapter, except that the commissioner may not promulgate rules to require reporting of contributions or expenditures that are incidental to supporting or opposing a ballot issue or political committee that conflict with the exemptions in 13-1-101(7) and (11) or that are otherwise reported by another political committee.

(7) Except as provided in subsections (1)(d), (2)(d), (3)(b), and (5)(b), all reports required by this section must be complete as of the fifth day before the date of filing as specified in 13-37-228(2) and this section."

{ Internal References to 13-37-226:

13-37-208 13-37-215 13-37-228 13-37-228

13-37-228 13-37-228 13-37-228 }"

18. Page 11, line 8 through page 12, line 10.

Strike: section 4 and 5 in their entirety

19. Page 12, line 12.

Strike: "Membership"

Insert: "Certain exemptions"

20. Page 12, line 14.

Strike: "membership" through "(12) (b) (v) "

Insert: "the exemptions provided in 13-1-101(7) (b) (iii) and
(11) (b) (iv) ."

21. Page 12, line 16.

Strike: "[Sections 5 and 6] are"

Insert: "[Section 3] is"

22. Page 12, line 18.

Strike: "[sections 5 and 6]"

Insert: "[section 3]"

- END -