

HOUSE BILL NO. 89

INTRODUCED BY P. INGRAHAM

BY REQUEST OF THE COMMISSIONER OF POLITICAL PRACTICES

A BILL FOR AN ACT ENTITLED: "AN ACT TO ELIMINATE LOCAL REGISTRATION AND DISCLOSURE FILING FOR LEGISLATIVE AND STATEWIDE CANDIDATES; AND AMENDING SECTIONS 13-37-225 AND 13-37-226, MCA."

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

Section 1. Section 13-37-225, MCA, is amended to read:

"13-37-225. Reports of contributions and expenditures required. (1) Except as provided in 13-37-206, each candidate and political committee shall file periodic reports of contributions and expenditures made by or on the behalf of a candidate or political committee. ~~All~~ Except as provided in subsection (3), all reports required by this chapter must be filed with the commissioner and with the election administrator of the county in which a candidate is a resident or the political committee has its headquarters. However, where residency within a district, county, city, or town is not a prerequisite for being a candidate, copies of all reports must be filed with the election administrator of the county in which the election is to be held or, if the election is to be held in more than one county, with the election administrator in the county that the commissioner specifies.

(2) In lieu of all contribution and expenditure reports required by this chapter, the commissioner shall accept copies of the reports filed by candidates for congress and president of the United States and their political committees pursuant to the requirements of federal law.

(3) Reports required by this chapter for legislative candidates and candidates for a state office filled by a statewide vote must be filed with the commissioner and do not have to be filed with the election administrator of a county."

Section 2. Section 13-37-226, MCA, is amended to read:

"13-37-226. Time for filing reports. (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

1 to 13-37-225.

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

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

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

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

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

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

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

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

21 (6) The commissioner may promulgate rules regarding the extent to which organizations that are
22 incidental political committees shall report their politically related activities in accordance with this chapter.

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

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