

1 SENATE BILL NO. 158

2 INTRODUCED BY T. FACEY

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4 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING A LEGISLATOR TO DISCLOSE CERTAIN COST AND
5 PAYMENT INFORMATION ABOUT CERTAIN MEETINGS ATTENDED BY THE LEGISLATOR; AND
6 AMENDING SECTION 2-2-106, 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 2-2-106, MCA, is amended to read:

11 **"2-2-106. Disclosure.** (1) (a) Prior to December 15 of each even-numbered year, each state officer or
12 holdover senator shall file with the commissioner of political practices a business disclosure statement on a form
13 provided by the commissioner. An individual filing pursuant to subsection (1)(b) or (1)(c) is not required to file
14 under this subsection (1)(a) during the same period.

15 (b) Each candidate for a statewide or a state office elected from a district shall, within 5 days of the time
16 that the candidate files for office, file a business disclosure statement with the commissioner of political practices
17 on a form provided by the commissioner.

18 (c) An individual appointed to office who would be required to file under subsection (1)(a) or (1)(b) is
19 required to file the business disclosure statement at the earlier of the time of submission of the person's name
20 for confirmation or the assumption of the office.

21 (2) The business disclosure statement must provide the following information:

22 (a) the name, address, and type of business of the individual;

23 (b) each present or past employing entity from which benefits, including retirement benefits, are currently
24 received by the individual;

25 (c) each business, firm, corporation, partnership, and other business or professional entity or trust in
26 which the individual holds an interest;

27 (d) each entity not listed under subsections (2)(a) through (2)(c) in which the individual is an officer or
28 director, regardless of whether or not the entity is organized for profit; and

29 (e) all real property, other than a personal residence, in which the individual holds an interest. Real
30 property may be described by general description.

1 (3) An individual may not assume or continue to exercise the powers and duties of the office to which
2 that individual has been elected or appointed until the statement has been filed as provided in subsection (1).

3 (4) (a) Except as provided in subsection (4)(b), a legislator who attends a meeting of an association,
4 council, conference, exchange, board, or similar entity shall file with the commissioner of political practices an
5 attendance disclosure statement on a form provided by the commissioner.

6 (b) A legislator is not required to file an attendance disclosure statement if:

7 (i) the legislator was not reimbursed for any cost incurred by or on behalf of the legislator for attending
8 the meeting and did not receive any kind of honorarium or payment, other than salary and per diem authorized
9 under 5-2-301 or 5-2-302; or

10 (ii) the meeting attended was a meeting of an entity:

11 (A) created by the legislature, a committee of the legislature, the president of the senate, or the speaker
12 of the house of representatives;

13 (B) of which the legislature is a member as evidenced by the payment of dues from legislative
14 appropriation;

15 (C) that represents a political subdivision of the state, including but not limited to a board of county
16 commissioners, a city council, a school board, the board of regents, the fish, wildlife, and parks commission, or
17 a similar entity;

18 (D) recognized as a local civic or service organization that holds regular meetings on a monthly or more
19 frequent basis; or

20 (E) recognized as a church, synagogue, mosque, or similar religious entity.

21 (c) The statement must provide the following information:

22 (i) the general purpose of the meeting;

23 (ii) the name and address of the person that sponsored, conducted, or coordinated the meeting. If the
24 person is not an individual, the statement must include a description of or the purpose of the organization or
25 entity.

26 (iii) the dates and specific location of the meeting;

27 (iv) an itemized list separately stating the cost of transportation, lodging, meals, registration, education,
28 materials, recreation, leisure, services, and any other expenses incurred by or for the legislator to attend or while
29 attending the meeting and the name and address of the person that paid for each item on the list; and

30 (v) the value, in U.S. dollars, of any honorarium, reimbursement, commission, fee, award, recognition,

1 consideration, or other emolument paid to, bestowed upon, or otherwise given to the legislator.

2 (d) (i) Except as provided in subsection (4)(d)(ii), a legislator required to file an attendance disclosure
3 statement shall file the statement within 30 days after attending the meeting.

4 (ii) A legislator required to file an attendance disclosure statement for attending a meeting that occurs
5 less than 45 days prior to an election at which the legislator is a candidate shall file the statement within 5 days
6 after attending the meeting.

7 (e) A legislator shall file a separate attendance disclosure statement for each meeting the legislator
8 attends for which an attendance disclosure statement is required.

9 (4)(5) The commissioner of political practices shall make the business disclosure statements and the
10 attendance disclosure statements available to any individual upon request."

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