

1 HOUSE BILL NO. 470

2 INTRODUCED BY S. FITZPATRICK

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4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE INFORMATION THAT MUST BE PROVIDED IN THE
5 "PAID FOR BY" ATTRIBUTION THAT IS REQUIRED TO BE INCLUDED WITH POLITICAL ADVERTISING; AND
6 AMENDING SECTION 13-35-225, 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 13-35-225, MCA, is amended to read:

11 **"13-35-225. Election materials not to be anonymous -- statement of accuracy.** (1) All
12 communications advocating the success or defeat of a candidate, political party, or ballot issue through any
13 broadcasting station, newspaper, magazine, outdoor advertising facility, direct mailing, poster, handbill, bumper
14 sticker, internet website, or other form of general political advertising must clearly and conspicuously include the
15 attribution "paid for by" followed by the name ~~and address~~ of the person who made or financed the expenditure
16 for the communication. When a candidate or a candidate's campaign finances the expenditure, the attribution
17 must be the name ~~and the address~~ of the candidate or the candidate's campaign. In the case of a political
18 committee, the attribution must be the name of the committee, ~~the name of the committee treasurer, and the~~
19 ~~address of the committee or the committee treasurer.~~

20 (2) Communications in a partisan election financed by a candidate or a political committee organized
21 on the candidate's behalf must state the candidate's party affiliation or include the party symbol.

22 (3) (a) Printed election material described in subsection (1) that includes information about another
23 candidate's voting record must include:

24 (i) a reference to the particular vote or votes upon which the information is based;

25 (ii) a disclosure of contrasting votes known to have been made by the candidate on the same issue if
26 closely related in time; and

27 (iii) a statement, signed as provided in subsection (3)(b), that to the best of the signer's knowledge, the
28 statements made about the other candidate's voting record are accurate and true.

29 (b) The statement required under subsection (3)(a) must be signed:

30 (i) by the candidate if the election material was prepared for the candidate or the candidate's political

1 committee and includes information about another candidate's voting record; or

2 (ii) by the person financing the communication or the person's legal agent if the election material was not
3 prepared for a candidate or a candidate's political committee.

4 (4) If a document or other article of advertising is too small for the requirements of subsections (1)
5 through (3) to be conveniently included, the candidate responsible for the material or the person financing the
6 communication shall file a copy of the article with the commissioner of political practices, together with the
7 required information or statement, at the time of its public distribution.

8 (5) If information required in subsections (1) through (3) is omitted or not printed, upon discovery of or
9 notification about the omission, the candidate responsible for the material or the person financing the
10 communication shall:

11 (a) file notification of the omission with the commissioner of political practices within 5 days of the
12 discovery or notification;

13 (b) bring the material into compliance with subsections (1) through (3); and

14 (c) withdraw any noncompliant communication from circulation as soon as reasonably possible."

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