

HOUSE BILL NO. 406

INTRODUCED BY R. COOK

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THAT INDIVIDUALS OR ENTITIES ENTERING INTO CERTAIN CONTRACTS WITH PUBLIC AGENCIES CERTIFY COMPLIANCE WITH TITLE 13, CHAPTERS 35 AND 37; PROVIDING THAT MISREPRESENTATION OF COMPLIANCE WITH OR A VIOLATION OF TITLE 13, CHAPTER 35 OR 37, IS A MATERIAL BREACH OF THE CONTRACT; PROVIDING A DEFINITION; AND PROVIDING AN APPLICABILITY DATE."

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

NEW SECTION. Section 1. Contracting entities to certify compliance with campaign finance laws.

(1) A public agency may not contract with an individual or an entity that is not a public agency for a contract with a total contract value that exceeds \$5,000 unless the contract contains a provision that states:

(a) the individual or entity certifies that it is in compliance with the provisions of Title 13, chapters 35 and 37; and

(b) misrepresentation of compliance with Title 13, chapters 35 and 37, or a violation of Title 13, chapters 35 or 37, during the term of the contract constitutes a material breach that may be remedied under the terms of the contract.

(2) For purposes of this section, "total contract value" means the entire potential monetary worth of the contract from beginning to completion, including any renewal periods.

NEW SECTION. Section 2. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 18, chapter 1, part 1, and the provisions of Title 18, chapter 1, part 1, apply to [section 1].

NEW SECTION. Section 3. Saving clause. [This act] does not affect rights and duties that matured, penalties that were incurred, or proceedings that were begun before [the effective date of this act].

NEW SECTION. Section 4. Applicability. [This act] applies to contracts entered into on or after [the effective date of this act].

- END -

