

1 SENATE BILL NO. 267

2 INTRODUCED BY S. MALEK

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4 A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING CAMPAIGN FINANCE LAWS AS THEY
5 RELATE TO CORPORATIONS AND UNIONS; ALLOWING EXPENDITURES MADE FOR THE PURPOSE OF
6 INFLUENCING THE RESULTS OF AN ELECTION BY CORPORATIONS AND UNIONS; REQUIRING CERTAIN
7 CERTIFICATIONS FOR UNIONS AND CORPORATIONS MAKING EXPENDITURES; REQUIRING THE
8 COMMISSIONER OF POLITICAL PRACTICES TO PUBLISH AND MAINTAIN ON THE COMMISSIONER'S
9 WEBSITE THE LIST OF CURRENT UNION AND CORPORATION CERTIFICATIONS; PROHIBITING
10 CONTRIBUTIONS BY UNIONS TO CANDIDATES; PROHIBITING POLITICAL COMMITTEES FROM USING
11 CORPORATE OR UNION FUNDS FOR CONTRIBUTIONS TO CANDIDATES; AMENDING SECTION
12 13-35-227, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

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16 NEW SECTION. **Section 1. Union and corporation certifications.** (1) The chief executive officer of
17 a corporation or union that qualifies as a political committee, as defined in 13-1-101, shall certify that the board
18 of directors or an equivalent leadership body expressly authorized the corporation or union to make expenditures
19 or communications in support of or opposition to a candidate or ballot issue within the calendar year in which the
20 expenditures are made. Expenditure certifications must be filed at the same time treasurer certifications are due
21 as provided by 13-37-201.

22 (2) A corporation or union that makes or that anticipates making expenditures in support of or opposition
23 to multiple candidates or ballot issues may file one certification for each election stating that the board approves
24 of all expenditures made by the corporation or union during a specified calendar year.

25 (3) The commissioner shall provide a certification form, as provided in 13-37-117, for corporations and
26 unions required to file under this section.

27 (4) The commissioner shall publish and maintain on the commissioner's website a list of corporations
28 and unions with active expenditure certifications.

29 (5) For the purposes of this section, "chief executive officer" means the chief executive officer or, if a
30 corporation or union does not have a chief executive officer, the most senior executive officer or administrator

1 of the corporation or union.

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3 **Section 2.** Section 13-35-227, MCA, is amended to read:

4 **"13-35-227. Prohibited contributions from corporations and unions.** (1) A corporation or union may
5 not make a contribution ~~or an expenditure in connection with~~ to a candidate ~~or a political committee that supports~~
6 ~~or opposes a candidate or a political party~~ directly or through an intermediary.

7 (2) A ~~person, candidate, or political committee~~ may not accept or receive a corporate or union
8 contribution described in subsection (1).

9 (3) A political committee that is not a corporation or a union may establish a fund to be used for making
10 political contributions to candidates if the fund consists only of funds solicited from noncorporate and nonunion
11 sources.

12 ~~(3)(4) This section does not prohibit the establishment or administration of~~ A corporation or union may
13 establish a separate, segregated fund to be used for making political contributions ~~or expenditures to candidates~~
14 if the fund consists only of voluntary contributions solicited from an individual who is a shareholder, employee,
15 or member of the corporation or union.

16 ~~(4)(5)~~ (5) A person who violates this section is subject to the civil penalty provisions of 13-37-128."
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18 NEW SECTION. Section 3. Codification instruction. [Section 1] is intended to be codified as an
19 integral part of Title 13, chapter 37, part 2, and the provisions of Title 13, chapter 37, part 2, apply to [section 1].

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21 NEW SECTION. Section 4. Effective date. [This act] is effective July 1, 2015.

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