

SENATE BILL NO. 296

INTRODUCED BY TAYLOR, COONEY

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING ELECTION FILING FEES; ESTABLISHING A SPECIAL REVENUE ACCOUNT FOR EDUCATION ON AND ENFORCEMENT OF CAMPAIGN PRACTICE PROVISIONS; INCREASING CANDIDATE FILING FEES; ESTABLISHING FEES FOR BALLOT ISSUE AND POLITICAL COMMITTEES; PROVIDING FOR THE DISPOSITION OF THE FEES; PROVIDING THAT THE SECRETARY OF STATE KEEP THE SAME AMOUNT IN FEES; PROVIDING THAT COUNTIES RECEIVE AN INCREASED AMOUNT IN FEES; PROVIDING NEW FUNDING TO THE COMMISSIONER OF POLITICAL PRACTICES FROM THE BALANCE OF THE INCREASED FEES AND THE NEW FEES; AMENDING SECTION 13-10-202, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

NEW SECTION. **Section 1. Education and enforcement -- account.** (1) There is an account in the state special revenue fund to the credit of the office of the commissioner of political practices. All interest and income earned on money in the account must be credited to the account.

(2) Money in the account may be used only for the purposes of educating candidates about campaign practice and finance laws and enforcing the provisions of chapter 35 and this chapter.

Section 2. Section 13-10-202, MCA, is amended to read:

"13-10-202. Filing fees -- fees for committees -- disposition. (1) (a) Filing fees for candidates are as follows:

(~~1~~)(i) for offices having an annual salary of \$2,500 or less and candidates for the legislature, ~~\$15~~ \$30 ~~or 1% of the total annual salary, whichever is greater;~~

(~~2~~)(ii) for county offices having an annual salary of more than \$2,500, ~~0.5%~~ \$30 or 1% of the total annual salary, whichever is greater;

(iii) FOR CITY OFFICES HAVING AN ANNUAL SALARY OF MORE THAN \$2,500, \$50 OR 1.5% OF THE TOTAL ANNUAL SALARY, WHICHEVER IS GREATER;

(~~3~~)(~~iii~~)(iv) for other offices having an annual salary of more than \$2,500, ~~1%~~ \$50 or 1.5% of the total annual salary, whichever is greater;

~~(4)(iv)(v)~~ for offices in which compensation is paid in fees, ~~\$10~~ \$50;

~~(5)(v)(vi)~~ for officers of political parties, presidential electors, and officers who receive no salary or fees, no filing fee is required.

(b) Fees for committees are as follows:

(i) A state ballot issue committee shall, upon its formation, pay to the office of the commissioner of political practices a fee of \$250.

(ii) A political committee, other than a political party committee, A BALLOT ISSUE COMMITTEE THAT IS NOT A STATE BALLOT ISSUE COMMITTEE, OR AN INCIDENTAL COMMITTEE, shall, upon its formation and annually before February 15 of each year that it exists, pay to the office of the commissioner of political practices a fee of \$100.

(iii) A STATE political party committee FORMED BY A POLITICAL PARTY ORGANIZATION shall, upon its formation and annually before February 15 of each year that it exists, pay to the office of the commissioner of political practices a fee of ~~\$10~~ \$100. ALL OTHER POLITICAL PARTY COMMITTEES SHALL, UPON FORMATION AND ANNUALLY BEFORE FEBRUARY 15 OF EACH YEAR, PAY TO THE OFFICE OF THE COMMISSIONER OF POLITICAL PRACTICES A FEE OF \$25.

(2) Of a fee paid under subsection (1) by a candidate filing with the secretary of state, the following amounts must be deposited to an account in the enterprise fund type to the credit of the office of secretary of state:

(a) \$15 of a filing fee paid under subsection (1)(a)(i); and

(b) for a filing fee paid under subsection ~~(1)(a)(iii)~~ (1)(A)(IV), 1% of the total annual salary of the office.

(3) Of a fee paid under subsection (1)(a)(ii), \$20 or 0.7% of the salary paid to the office, whichever is greater, must be retained by the county.

(4) OF A FEE PAID UNDER SUBSECTION (1)(A)(III), \$30 OR 1.25% OF THE SALARY PAID TO THE OFFICE, WHICHEVER IS GREATER, MUST BE RETAINED BY THE COUNTY.

~~(4)~~(5) Fees and the portions of fees paid under subsection (1) and not deposited as provided in subsection (2) or retained by the county under subsection (3) OR (4) must be deposited to the special revenue account established in [section 1]."

NEW SECTION. Section 3. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 13, chapter 37, and the provisions of Title 13, chapter 37, apply to [section 1].

NEW SECTION. Section 4. Effective date. [This act] is effective on passage and approval.

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