

SENATE BILL NO. 91
INTRODUCED BY C. WILLIAMS

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR THE ESTABLISHMENT OF CONSTITUENT SERVICES ACCOUNTS; PROVIDING FOR THE FUNDING AND USE OF MONEY IN A CONSTITUENT SERVICES ACCOUNT; PROVIDING REPORTING REQUIREMENTS FOR CONSTITUENT SERVICES ACCOUNTS; AND AMENDING SECTION 13-37-240, MCA."

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

NEW SECTION. Section 1. Constituent services accounts -- reports -- use. (1) A successful candidate for public office may deposit surplus campaign funds in a constituent services account. The money in the account may be used for expenses incurred in representing constituents.

(2) The account holder may accept donations from individuals for deposit in the account. A corporation may not donate money for deposit in the account. All money in the account is subject to the restrictions contained in 13-37-240.

(3) The holder of a constituent services account shall file an annual report with the commissioner, by a date established by the commissioner by rule. The report must disclose the source of all money deposited in the account and enumerate expenditures from the account.

(4) The holder of a constituent services account shall close the account within 120 days after the account holder leaves public office.

Section 2. Section 13-37-240, MCA, is amended to read:

"13-37-240. Surplus campaign funds. (1) A candidate shall dispose of any surplus funds from the candidate's campaign within 120 days after the time of filing the closing campaign report pursuant to 13-37-228. In disposing of the surplus funds, a candidate may not contribute the funds to another campaign, including the candidate's own future campaign, or use the funds for personal benefit. The candidate may establish a constituent services account as provided in [section 1]. The candidate shall provide a supplement to the closing campaign report to the commissioner showing the disposition of any surplus campaign funds.

(2) For purposes of this section, "personal benefit" means a use that will provide a direct or indirect benefit of any kind to the candidate or any member of the candidate's immediate family."

NEW SECTION. **Section 3. Codification instruction.** [Section 1] is intended to be codified as an 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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