

SENATE BILL NO. 253
INTRODUCED BY M. COONEY

A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING CERTAIN BROADCAST CAMPAIGN ADVERTISING MATERIAL AND AN AFFIDAVIT ABOUT THE TRUTH OF THE CONTENT TO BE FILED WITH THE COMMISSIONER OF POLITICAL PRACTICES; INCREASING THE POTENTIAL FINE FOR FALSE SWEARING ABOUT THE ADVERTISING CONTENT; AND AMENDING SECTION 45-7-202, MCA."

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

NEW SECTION. Section 1. Voluntary filing of broadcast campaign materials -- affidavit -- penalty.

(1) (a) A political committee not organized by or on behalf of a candidate may file with the commissioner of political practices a copy of a campaign script intended for broadcast advertising.

(b) The committee's authorized agent may sign an affidavit swearing that the content of the script is true and verifiable and may file supporting documentation.

(2) (a) Scripts and affidavits must be filed in the manner prescribed by the commissioner of political practices.

(b) The commissioner of political practices shall file the scripts, affidavits, and any documentation in a manner that allows for them to be readily inspected.

(3) A person filing an affidavit under this section is subject to the penalty for false swearing under 45-7-202, except that the fine may not exceed \$5,000.

Section 2. Section 45-7-202, MCA, is amended to read:

"45-7-202. False swearing. (1) A person commits the offense of false swearing if ~~he~~ the person knowingly makes a false statement under oath or equivalent affirmation or swears or affirms the truth of ~~such~~ a statement previously made when ~~he~~ the person does not believe the statement to be true and:

(a) the falsification occurs in an official proceeding;

(b) the falsification is purposely made to mislead a public servant in performing ~~his~~ an official function;

or

(c) the statement is one ~~which~~ that is required by law to be sworn or affirmed before a notary or other person authorized to administer oaths.

(2) Subsections (4) through (7) of 45-7-201 apply to this section.

(3) ~~A~~ Except as provided in [section 1], a person convicted of false swearing shall be fined an amount not to exceed \$500 or be imprisoned in the county jail for any a term not to exceed 6 months, or both."

NEW SECTION. Section 3. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 13, chapter 35, part 2, and the provisions of Title 13, chapter 35, part 2, apply to [section 1].

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