

SENATE BILL NO. 509
INTRODUCED BY S. GALLUS

A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING CONSTITUENT SERVICES ACCOUNTS; PROHIBITING THE DEPOSIT OF SURPLUS CAMPAIGN FUNDS IN CONSTITUENT SERVICES ACCOUNTS; PROVIDING FUNDING FOR PURPOSES OF REIMBURSING LEGISLATORS FOR CERTAIN EXPENSES; AMENDING SECTION 13-37-240, MCA; AND PROVIDING A CONTINGENT EFFECTIVE DATE."

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

NEW SECTION. Section 1. Constituent services accounts prohibited. (1) A successful candidate for public office may not deposit surplus campaign funds in a constituent services account intended to be used for expenses incurred in representing constituents.

(2) A successful candidate for public office may not accept donations from individuals for deposit in a constituent services account. A corporation may not donate money for deposit in the account.

NEW SECTION. Section 2. Legislator interim expense reimbursement account. (1) There is a legislator interim expense reimbursement account in the state special revenue fund. Money in the account may be used to reimburse legislators for education, communication, or travel expenses incurred in representing constituents during the interim.

(2) (a) Subject to subsection (2)(b), a representative may be reimbursed for up to \$2,000 of expenses during an interim and a senator may be reimbursed for up to \$4,000 during an interim.

(b) A legislator may not be reimbursed from the account provided for in subsection (1) for expenses incurred during a regular session, special session, or within 1 month of a primary or general election at which the legislator is a candidate.

(3) A legislator is responsible for maintaining expense records and submitting receipts for reimbursable costs.

Section 3. Section 13-37-240, MCA, is amended to read:

"13-37-240. Surplus campaign funds. (1) (a) 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:

(i) contribute the funds to another campaign, including the candidate's own future campaign; or

(ii) use the funds for personal benefit; or

(iii) contribute the funds to a constituent services account.

(b) 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 4. Codification instructions. (1) [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].

(2) [Section 2] is intended to be codified as an integral part of Title 5, chapter 2, part 3, and the provisions of Title 5, chapter 2, part 3 apply to [section 2].

NEW SECTION. Section 5. Contingent effective date. [This act] is effective on the date that legislation providing an appropriation of at least \$400,000 for legislators to be used for education, travel, and communications with constituents is effective.

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