

HOUSE BILL NO. 491

INTRODUCED BY B. BENNETT

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21

A BILL FOR AN ACT ENTITLED: "AN ACT RESTRICTING AN INDIVIDUAL OR CANDIDATE FOUND LIABLE FOR VIOLATING CERTAIN CAMPAIGN AND ELECTION LAWS FROM RAISING FUNDS OR USING A CAMPAIGN ACCOUNT TO PAY ANY FINES; AND AMENDING SECTION 13-37-129, MCA."

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

**Section 1.** Section 13-37-129, MCA, is amended to read:

**"13-37-129. Liability and disposition of fines -- restrictions.** (1) In determining the amount of liability under 13-37-128, the court may take into account the seriousness of a violation and the degree of culpability of the defendant.

(2) An individual or candidate who is found liable under 13-37-128 and fined may not:

(a) pay the amount of the fine from a campaign depository established pursuant to 13-37-205; or

(b) raise any funds from other persons for the purposes of paying the fine.

(3) If a judgment is entered against the defendant or defendants in an action brought by a county attorney in a court other than a justice's court, the county shall receive 50% of the amount recovered. The remaining 50% shall be deposited in the general fund of the state. In an action brought by the commissioner in a court other than a justice's court, the entire amount recovered shall be paid to the general fund of the state."

- END -