

HOUSE BILL NO. 419

INTRODUCED BY S. FITZPATRICK

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A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING CAMPAIGN FINANCE LAWS; PROVIDING SANCTIONS FOR FRIVOLOUS COMPLAINTS; INCREASING THE MONETARY CONTRIBUTIONS ALLOWED FROM ALL POLITICAL COMMITTEES FOR CANDIDATES FOR THE STATE SENATE AND THE STATE HOUSE OF REPRESENTATIVES; AMENDING THE CONSUMER PRICE INDEX ADJUSTMENT FOR CERTAIN MONETARY CONTRIBUTION ALLOWANCES; AMENDING SECTION 13-37-218, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

**NEW SECTION. Section 1. Sanctions for frivolous complaints.** (1) By submitting a complaint to the commissioner, the party submitting the complaint certifies that to the best of the person's knowledge, information, and belief, formed after an inquiry reasonable under the circumstances:

(a) the complaint is not being presented for any improper purpose, including but not limited to harassment;

(b) the claims are warranted under existing law or rule or by a nonfrivolous argument interpreting existing law;

(c) the factual contentions have evidentiary support or will likely have evidentiary support after a reasonable opportunity for further investigation or discovery.

(2) If, after notice and a reasonable opportunity to respond, the commissioner determines that subsection (1) has been violated, the commissioner may impose a sanction on the party submitting the complaint that violated subsection (1) or the party that is responsible for the violation.

(3) The commissioner may impose a fine of \$250 or the reasonable cost of attorney fees and staff time in responding to and investigating the matter, whichever is greater.

**Section 2.** Section 13-37-218, MCA, is amended to read:

**"13-37-218. Limitations on receipts from political committees.** A candidate for the state senate may receive no more than ~~\$2,450~~ \$5,500 in total combined monetary contributions from all political committees



1 contributing to the candidate's campaign, and a candidate for the state house of representatives may receive no  
2 more than ~~\$1,300~~ \$3,300 in total combined monetary contributions from all political committees contributing to  
3 the candidate's campaign. The limitations in this section must be multiplied by an inflation factor, which is  
4 determined by dividing the consumer price index for June of the year prior to the year in which a general election  
5 is held by the consumer price index for June ~~2003~~ 2015. The resulting figure must be rounded up or down to the  
6 nearest \$50 increment. The commissioner shall publish the revised limitations as a rule. In-kind contributions  
7 must be included in computing these limitation totals. The limitation provided in this section does not apply to  
8 contributions made by a political party eligible for a primary election under 13-10-601."

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

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13 NEW SECTION. **Section 4. Effective date.** [This act] is effective July 1, 2015.

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