

SENATE BILL NO. 86

INTRODUCED BY J. POMNICHOWSKI

BY REQUEST OF THE COMMISSIONER OF POLITICAL PRACTICES

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING CERTAIN CANDIDATES AND POLITICAL COMMITTEES TO FILE DISCLOSURE REPORTS ELECTRONICALLY; AND AMENDING SECTION 13-37-226, MCA."

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

Section 1. Section 13-37-226, MCA, is amended to read:

"13-37-226. Time for filing reports. (1) Candidates for a state office filled by a statewide vote of all the electors of Montana and political committees that are organized to support or oppose a particular statewide candidate shall file reports electronically as follows:

(a) quarterly, due on the fifth day following a calendar quarter, beginning with the calendar quarter in which funds are received or expended during the year or years prior to the election year that the candidate expects to be on the ballot;

(b) on the 10th day of March, April, July, August, and September;

(c) on the 15th and 5th days preceding the date on which an election is held;

(d) within 24 hours after receiving a contribution of \$200 or more if received between the 10th day before the election and the day of the election;

(e) not more than 20 days after the date of the election; and

(f) on the 10th day of March and September of each year following an election until the candidate or political committee files a closing report as specified in 13-37-228(3).

(2) Political committees organized to support or oppose a particular statewide ballot issue shall file reports electronically as follows:

(a) quarterly, due on the fifth day following a calendar quarter, beginning with the calendar quarter in which the text of the proposed ballot issue is submitted for review and approval pursuant to 13-27-202 during the year or years prior to the election year that an issue is or is expected to be on the ballot;

(b) on the 10th day of March and on the 10th day of each subsequent month through September in each

1 year that an election is to be held;

2 (c) on the 15th and 5th days preceding the date on which an election is held;

3 (d) within 24 hours after receiving a contribution of \$500 or more if received between the 10th day before
4 the election and the day of the election;

5 (e) within 20 days after the election; and

6 (f) on the 10th day of March and September of each year following an election until the political
7 committee files a closing report as specified in 13-37-228(3).

8 (3) Candidates for a state district office, including but not limited to candidates for the legislature, the
9 public service commission, or a district court judge, and political committees that are specifically organized to
10 support or oppose a particular state district candidate or issue shall file reports electronically as follows:

11 (a) on the 12th day preceding the date on which an election is held;

12 (b) within 48 hours after receiving a contribution of \$100 or more if received between the 17th day before
13 the election and the day of the election. The report under this subsection (3)(b) must be made by mail or by
14 electronic communication to the commissioner pursuant to 13-37-225.

15 (c) not more than 20 days after the date of the election; and

16 (d) on the 10th day of March and September of each year following an election until the candidate or
17 political committee files a closing report as specified in 13-37-228(3).

18 (4) Candidates for any other public office and political committees that are specifically organized to
19 support or oppose a particular local issue shall file the reports specified in subsection (3) only if the total amount
20 of contributions received or the total amount of funds expended for all elections in a campaign, excluding the filing
21 fee paid by the candidate, exceeds \$500, except as provided in 13-37-206.

22 (5) For the purposes of this subsection, a committee that is not specifically organized to support or
23 oppose a particular candidate or ballot issue and that receives contributions and makes expenditures in
24 conjunction with an election is an independent committee. For the purpose of reporting, a political party committee
25 is an independent committee. An independent committee shall file electronically as follows:

26 (a) a report on the 12th day preceding the date of an election in which it participates by making an
27 expenditure;

28 (b) a report within 24 hours of making an expenditure or incurring a debt or obligation of \$500 or more
29 for election material described in 13-35-225(1) if made between the 17th day before the election and the day of
30 the election;

1 (c) a report not more than 20 days after the date of the election in which it participates by making an
2 expenditure; and

3 (d) a report on a date to be prescribed by the commissioner for a closing report at the close of each
4 calendar year.

5 (6) The commissioner may promulgate rules regarding the extent to which organizations that are
6 incidental political committees shall report their politically related activities in accordance with this chapter.

7 (7) Except as provided in subsections (1)(d), (2)(d), (3)(b), and (5)(b), all reports required by this section
8 must be complete as of the fifth day before the date of filing as specified in 13-37-228(2) and this section."

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