

## HOUSE BILL NO. 199

INTRODUCED BY D. FERN, M. NOLAND, A. ROSENDALE, D. SKEES, B. USHER

A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING A LEGISLATOR TO MAINTAIN A CAMPAIGN ACCOUNT FOLLOWING A CAMPAIGN ON THE CONDITION THAT THE REMAINING FUNDS ARE USED TO RUN IN THE SAME DISTRICT AND MAY NOT BE USED UNTIL AFTER A DECLARATION FOR NOMINATION FOR THE NEXT ELECTION IS FILED AFTER THE LEGISLATIVE GENERAL SESSION ENDS; AND AMENDING SECTION 13-37-240, MCA."

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

**Section 1.** Section 13-37-240, MCA, is amended to read:

**"13-37-240. Surplus campaign funds.** (1) ~~A~~ Except as provided in subsections (2) and (3), 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 contribute the funds to another campaign, ~~including the candidate's own future campaign,~~ or use the funds for personal benefit.

(2) A successful candidate for a statewide elected or legislative office or for public service commissioner may establish a constituent services account as provided in 13-37-402 or an elected legislator may maintain the ~~A balance of~~ IN the CAMPAIGN account as it was 120 days, SUBJECT TO SUBSECTION (3), after filing the closing ~~campaign report.~~ The candidate shall provide a supplement to the closing campaign report to the commissioner showing the disposition of any surplus campaign funds or the legislator shall provide a supplement indicating the ~~amount of the balance intended to remain in the campaign account.~~

(3) (a) A newly elected legislator may maintain surplus funds in the campaign account, but A SENATOR MAY MAINTAIN UP TO \$1,000 IN THE CAMPAIGN ACCOUNT. A REPRESENTATIVE MAY MAINTAIN UP TO \$500 IN THE CAMPAIGN ACCOUNT.

(B) THE LEGISLATOR may not use the balance of the account until after the legislative session for which the legislator was elected adjourns and the individual files a declaration for nomination, as provided in 13-10-201, to run in the next election for the same legislative district in the same chamber as the legislator is serving.

(b)(c) In the event that the legislator withdraws from the election or is removed from the election for any

1 reason, the legislator shall dispose of any surplus funds from the campaign account within 120 days after the  
2 withdrawal or removal. In disposing of the surplus funds, the legislator may not contribute the funds to another  
3 campaign, including a legislator's own future campaign, or use the funds for personal benefit.

4 ~~(2)~~(4) For purposes of this section,;

5 (a) "legislative session" means the period of time in which the legislature meets in regular session as  
6 provided in 5-2-103; and

7 (b) "personal benefit" means a use that will provide a direct or indirect benefit of any kind to the candidate  
8 or any member of the candidate's immediate family."

9 - END -