

## SENATE BILL NO. 87

INTRODUCED BY K. REGIER

A BILL FOR AN ACT ENTITLED: "AN ACT ELIMINATING THE REQUIREMENT THAT CANDIDATES AND POLITICAL COMMITTEES DISCLOSE EMPLOYER AND OCCUPATION INFORMATION FOR CERTAIN CONTRIBUTIONS AND EXPENDITURES; AND AMENDING SECTIONS 13-37-229 AND 13-37-232, MCA."

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

**Section 1.** Section 13-37-229, MCA, is amended to read:

**"13-37-229. Disclosure requirements for candidates, ballot issue committees, political party committees, and independent committees.** (1) The reports required under 13-37-225 through 13-37-227 from candidates, ballot issue committees, political party committees, and independent committees must disclose the following information concerning contributions received:

(a) the amount of cash on hand at the beginning of the reporting period;

(b) the full name; and mailing address; ~~occupation, and employer, if any,~~ of each person who has made aggregate contributions, other than loans, of \$35 or more to a candidate or political committee, including the purchase of tickets and other items for events, such as dinners, luncheons, rallies, and similar fundraising events;

(c) for each person identified under subsection (1)(b), the aggregate amount of contributions made by that person within the reporting period and the total amount of contributions made by that person for all reporting periods;

(d) the total sum of individual contributions made to or for a political committee or candidate and not reported under subsections (1)(b) and (1)(c);

(e) the name and address of each political committee or candidate from which the reporting committee or candidate received any transfer of funds, together with the amount and dates of all transfers;

(f) each loan from any person during the reporting period, together with the full names; and mailing addresses; ~~occupations, and employers, if any,~~ of the lender and endorsers, if any, and the date and amount of each loan;

(g) the amount and nature of debts and obligations owed to a political committee or candidate, in the form prescribed by the commissioner;

1 (h) an itemized account of proceeds that total less than \$35 from a person from mass collections made  
2 at fundraising events;

3 (i) each contribution, rebate, refund, or other receipt not otherwise listed under subsections (1)(b) through  
4 (1)(h) during the reporting period;

5 (j) the total sum of all receipts received by or for the committee or candidate during the reporting period;  
6 and

7 (k) other information that may be required by the commissioner to fully disclose the sources of funds  
8 used to support or oppose candidates or issues, except that the commissioner may not require disclosure of a  
9 person's employer or occupation.

10 (2) (a) Except as provided in subsection (2)(c), the reports required under 13-37-225 through 13-37-227  
11 from candidates, ballot issue committees, political party committees, and independent committees must disclose  
12 the following information concerning expenditures made:

13 (i) the full name, mailing address, ~~occupation~~, and principal place of business, if any, of each person to  
14 whom expenditures have been made by the committee or candidate during the reporting period, including the  
15 amount, date, and purpose of each expenditure and the total amount of expenditures made to each person;

16 (ii) the full name, mailing address, ~~occupation~~, and principal place of business, if any, of each person to  
17 whom an expenditure for personal services, salaries, and reimbursed expenses has been made, including the  
18 amount, date, and purpose of that expenditure and the total amount of expenditures made to each person;

19 (iii) the total sum of expenditures made by a political committee or candidate during the reporting period;

20 (iv) the name and address of each political committee or candidate to which the reporting committee or  
21 candidate made any transfer of funds, together with the amount and dates of all transfers;

22 (v) the name of any person to whom a loan was made during the reporting period, including the full  
23 name, mailing address, ~~occupation~~, and principal place of business, if any, of that person and the full names,  
24 mailing addresses, ~~occupations~~, and principal places of business, if any, of the endorsers, if any, and the date  
25 and amount of each loan;

26 (vi) the amount and nature of debts and obligations owed by a political committee or candidate in the form  
27 prescribed by the commissioner; and

28 (vii) other information that may be required by the commissioner to fully disclose the disposition of funds  
29 used to support or oppose candidates or issues, except that the commissioner may not require disclosure of a  
30 person's employer or occupation.

1 (b) Reports of expenditures made to a consultant, advertising agency, polling firm, or other person that  
 2 performs services for or on behalf of a candidate or political committee must be itemized and described in  
 3 sufficient detail to disclose the specific services performed by the entity to which payment or reimbursement was  
 4 made.

5 (c) A candidate is required to report the information specified in this subsection (2) only if the transactions  
 6 involved were undertaken for the purpose of supporting or opposing a candidate."  
 7

8 **Section 2.** Section 13-37-232, MCA, is amended to read:

9 **"13-37-232. Disclosure requirements for incidental committees.** (1) The reports required under  
 10 13-37-225 through 13-37-227 from incidental committees must disclose the following information concerning  
 11 contributions to the committee that are designated by the contributor for a specified candidate, ballot issue, or  
 12 petition for nomination or that are made by the contributor in response to an appeal by the incidental committee  
 13 for contributions to support incidental committee election activity, including in-kind expenditures, independent  
 14 expenditures, election communications, or electioneering communications:

15 (a) the full name, and mailing address, ~~occupation, and employer, if any,~~ of each person who has made  
 16 aggregate contributions during the reporting period for a specified candidate, ballot issue, or petition for  
 17 nomination of \$35 or more;

18 (b) for each person identified under subsection (1)(a), the aggregate amount of contributions made by  
 19 that person for all reporting periods;

20 (c) each loan received from any person during the reporting period for a specified candidate, ballot issue,  
 21 or petition for nomination, together with the full names; and mailing addresses, ~~occupations, and employers, if~~  
 22 ~~any,~~ of the lender and endorsers, if any, and the date and amount of each loan;

23 (d) the amount and nature of debts and obligations owed to an incidental committee for a specified  
 24 candidate, ballot issue, or petition for nomination in the form prescribed by the commissioner;

25 (e) an account of proceeds that total less than \$35 per person from mass collections made at fundraising  
 26 events sponsored by the incidental committee for a specified candidate, ballot issue, or petition for nomination;  
 27 and

28 (f) the total sum of all contributions received by or designated for the incidental committee for a specified  
 29 candidate, ballot issue, or petition for nomination during the reporting period.

30 (2) The reports required under 13-37-225 through 13-37-227 from incidental committees must disclose

1 the following information concerning expenditures made:

2 (a) the full name, mailing address, ~~occupation~~, and principal place of business, if any, of each person  
3 to whom expenditures have been made during the reporting period, including the amount, date, and purpose of  
4 each expenditure and the total amount of expenditures made to each person;

5 (b) the full name, mailing address, ~~occupation~~, and principal place of business, if any, of each person  
6 to whom an expenditure for personal services, salaries, and reimbursed expenses has been made during the  
7 reporting period, including the amount, date, and purpose of that expenditure and the total amount of  
8 expenditures made to each person;

9 (c) the total sum of expenditures made during the reporting period;

10 (d) the name and address of each political committee or candidate to which the reporting committee  
11 made any transfer of funds together with the amount and dates of all transfers;

12 (e) the name of any person to whom a loan was made during the reporting period, including the full  
13 name, mailing address, ~~occupation~~, and principal place of business, if any, of that person, and the full names,  
14 mailing addresses, ~~occupations~~, and principal places of business, if any, of the endorsers, if any, and the date  
15 and amount of each loan;

16 (f) the amount and nature of debts and obligations owed by a political committee in the form prescribed  
17 by the commissioner; and

18 (g) other information that may be required by the commissioner to fully disclose the disposition of funds  
19 used to make expenditures, except that the commissioner may not require disclosure of a person's employer or  
20 occupation.

21 (3) Reports of expenditures made to a consultant, advertising agency, polling firm, or other person that  
22 performs services for or on behalf of an incidental committee must be itemized and described in sufficient detail  
23 to disclose the specific services performed by the entity to which payment or reimbursement was made.

24 (4) An incidental committee that does not receive contributions for a specified candidate, ballot issue,  
25 or petition for nomination and that does not solicit contributions for incidental committee election activity, including  
26 in-kind expenditures, independent expenditures, election communications, or electioneering communications,  
27 is required to report only its expenditures."

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