

## 1 SENATE BILL NO. 21

2 INTRODUCED BY E. MCCLAFFERTY

3 BY REQUEST OF THE STATE ADMINISTRATION AND VETERAN AFFAIRS INTERIM COMMITTEE

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5 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE LOBBYIST LICENSING FEE AND THE  
6 ASSOCIATED SPECIAL REVENUE ACCOUNT FOR STATE GOVERNMENT BROADCASTING SERVICES;  
7 DEPOSITING ALL REVENUE FROM THE LOBBYIST LICENSING FEE IN THE STATE GENERAL FUND;  
8 REPEALING THE SPECIAL REVENUE ACCOUNT FOR STATE GOVERNMENT BROADCASTING  
9 SERVICES; AMENDING SECTION 5-7-103, MCA; REPEALING SECTION 5-11-1112, MCA; AND  
10 PROVIDING AN EFFECTIVE DATE."

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

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14 **Section 1.** Section 5-7-103, MCA, is amended to read:

15 **"5-7-103. Licenses -- fees -- eligibility -- waiver.** (1) Any adult of good moral character who is  
16 otherwise qualified under this chapter may be licensed as a lobbyist. The commissioner shall provide a license  
17 application form. The application form may be obtained from and must be filed in the office of the  
18 commissioner. Upon approval of the application and receipt of the license fee by the commissioner, a license  
19 must be issued that entitles the licensee to practice lobbying on behalf of one or more enumerated principals.  
20 The license fee is \$150 for each lobbyist except as provided in subsection (5) or unless the fee is waived for  
21 hardship reasons under this subsection. Each license expires on December 31 of each even-numbered year or  
22 may be terminated at the request of the lobbyist. A lobbyist who believes that payment of the license fee may  
23 constitute a hardship may apply to the commissioner for a waiver of the fee required by this section. The  
24 commissioner may waive all or a portion of the license fee upon proof by the lobbyist that payment of the fee  
25 constitutes a hardship.

26 (2) (a) Except as provided in subsection (2)(b), an application may not be disapproved without  
27 affording the applicant a hearing. The hearing must be held and the decision entered within 10 business days of  
28 the date of the filing of the application, excluding the date on which the application is filed.

1 (b) An application may not be approved if a principal has failed to file reports required under 5-7-208.

2 (3) The fines collected under this chapter must be deposited in the state treasury.

3 (4) The commissioner shall deposit the license fee provided for in subsection (1) ~~as follows:~~

4 ~~(a) \$50 in the general fund; and~~

5 ~~(b) \$100 in the state special revenue account provided for in 5-11-1112 in the general fund.~~

6 (5) A lobbyist who receives payments from one or more principals that total less than the amount  
7 specified under 5-7-112 in a calendar year is not required to pay the license fee or file an application form as  
8 provided for in subsection (1).

9 (6) The commissioner may adopt rules to implement the waiver provisions of subsections (1) and (5)."

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11 NEW SECTION. Section 2. Repealer. The following section of the Montana Code Annotated is  
12 repealed:

13 5-11-1112. State government broadcasting account.

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15 NEW SECTION. Section 3. Effective date. [This act] is effective July 1, 2021.

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