

1 HOUSE BILL NO. 511
 2 INTRODUCED BY D. HARVEY, T. RUNNING WOLF, D. HAWK, E. KERR-CARPENTER, A. BUCKLEY, L.
 3 BISHOP, K. SULLIVAN, E. BOLDMAN, P. FLOWERS, R. LYNCH, S. MORIGEAU, J. LYNCH, K. ABBOTT, E.
 4 MATTHEWS, S. HOWELL

5
 6 A BILL FOR AN ACT ENTITLED: "AN ACT APPLYING LIMITATIONS ON POLITICAL CONTRIBUTIONS TO A
 7 CANDIDATE CONTRIBUTING TO THE CANDIDATE'S OWN CAMPAIGN; PROVIDING AN EXCEPTION FOR
 8 LOANS; AND AMENDING SECTION 13-37-216, MCA."

9
 10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11
 12 **Section 1.** Section 13-37-216, MCA, is amended to read:

13 **"13-37-216. Limitations on contributions -- adjustment.** (1) (a) Subject to adjustment as provided
 14 for in subsection (3), ~~and~~ subject to 13-35-227 and 13-37-219, and except as provided in subsection (4),
 15 aggregate contributions for each election in a campaign by a political committee or by an individual, ~~other than~~
 16 ~~the candidate,~~ to a candidate are limited as follows:

- 17 (i) for candidates filed jointly for the office of governor and lieutenant governor, not to exceed
- 18 \$1,000;
- 19 (ii) for a candidate to be elected for state office in a statewide election, other than the candidates
- 20 for governor and lieutenant governor, not to exceed \$700;
- 21 (iii) for a candidate for any other public office, not to exceed \$400.

22 (b) Except as provided in 13-37-211 and subsection ~~(5)~~ (6) of this section:

- 23 (i) a contribution to a candidate includes contributions made to any political committee organized
- 24 on the candidate's behalf; and
- 25 (ii) a political committee that is not independent of the candidate is considered to be organized on
- 26 the candidate's behalf.

27 (2) All political committees except those of political party organizations are subject to the
 28 provisions of subsection (1). Political party organizations may form political committees that are subject to the

1 following aggregate limitations, adjusted as provided for in subsection (3) and subject to 13-37-219, from all
2 political party committees:

3 (a) for candidates filed jointly for the offices of governor and lieutenant governor, not to exceed
4 \$100,000;

5 (b) for a candidate to be elected for state office in a statewide election, other than the candidates
6 for governor and lieutenant governor, not to exceed \$75,000;

7 (c) for a candidate for public service commissioner, not to exceed \$15,000;

8 (d) for a candidate for the state senate, not to exceed \$3,000;

9 (e) for a candidate for any other public office, not to exceed \$2,000.

10 (3) (a) The commissioner shall adjust the limitations in subsections (1) and (2) by multiplying each
11 limit by an inflation factor, which is determined by dividing the consumer price index for June of the year prior to
12 the year in which a general election is held by the consumer price index for June 2021.

13 (b) The resulting figure must be rounded up or down to the nearest:

14 (i) \$10 increment for the limits established in subsection (1); and

15 (ii) \$50 increment for the limits established in subsection (2).

16 (c) The commissioner shall publish the revised limitations as a rule.

17 ~~(4)~~ A candidate may make unlimited loans to the candidate's campaign, but the candidate may not
18 otherwise contribute to the candidate's campaign in excess of the limits established in subsection (1).

19 ~~(4)(5)~~ A candidate may not accept any contributions, including in-kind contributions, in excess of the
20 limits in this section.

21 ~~(5)(6)~~ For the purposes of applying the limits in this section if the contributions were received by a
22 joint fundraising committee, a contribution must be construed to be:

23 (a) from the person who originally contributed funds to the joint fundraising committee; and

24 (b) received by the candidate participant to whom the funds were allocated by the joint fundraising
25 committee as provided in 13-37-211.

26 ~~(6)(7)~~ For purposes of this section, "election" means the general election or a primary election that
27 involves two or more candidates for the same nomination. If there is not a contested primary, there is only one
28 election to which the contribution limits apply. If there is a contested primary, then there are two elections to

1 which the contribution limits apply."

2

- END -