

HOUSE BILL NO. 947

INTRODUCED BY G. NIKOLAKAKOS, J. FITZPATRICK

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING ELECTION LAWS; CHANGING THE STATUTE OF LIMITATIONS FOR ACTIONS BROUGHT UNDER SECTIONS 13-37-128 AND 13-37-129, MCA; CHANGING THE RETENTION SCHEDULE FOR CAMPAIGN ACCOUNT RECORDS; PROVIDING AN APPROPRIATION; AMENDING SECTIONS 13-37-130 AND 13-37-208, MCA; REPEALING SECTION 13-37-250, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

Section 1. Section 13-37-130, MCA, is amended to read:

"13-37-130. Limitation of action. An action may not be brought under 13-37-128 and 13-37-129 more than ~~4 years~~ 2 years after the occurrence of the facts that give rise to the action. No more than one judgment against a particular defendant may be had on a single state of facts. The civil action created in 13-37-128 and 13-37-129 is the exclusive remedy for violation of the contribution, expenditure, and reporting provisions of this chapter. These provisions are not subject to the misdemeanor penalties of 13-35-103 but may be a ground for contest of election or removal from office as provided in 13-35-106(3) and Title 13, chapter 36."

Section 2. Section 13-37-208, MCA, is amended to read:

"13-37-208. Treasurer to keep records. (1) (a) Except as provided in subsection (1)(b), the campaign treasurer of each candidate, each political committee, and each joint fundraising committee shall keep detailed accounts of all contributions received and all expenditures made by or on behalf of the candidate, political committee, or joint fundraising committee that are required to be set forth in a report filed under this chapter. The accounts must be current within not more than 10 days after the date of receiving a contribution or making an expenditure.

(b) The accounts described in subsection (1)(a) must be current as of the 5th day before the date of filing of a report as specified in 13-37-228.

1 (2) Accounts of a deputy campaign treasurer must be transferred to the treasurer of a candidate or
 2 political committee before the candidate, political committee, or joint fundraising committee finally closes its
 3 books or when the position of a deputy campaign treasurer becomes vacant and no successor is appointed.

4 (3) Accounts kept by a campaign treasurer of a candidate, political committee, or joint fundraising
 5 committee must be preserved by the campaign treasurer for a period of ~~4 years~~ 2 years from the date of the
 6 election."

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8 NEW SECTION. Section 3. Repealer. The following section of the Montana Code Annotated is
 9 repealed:

10 13-37-250. Voluntary spending limits.

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12 NEW SECTION. Section 4. Appropriation. There is appropriated \$500 from the general fund to the
 13 commissioner of political practices for the fiscal year beginning July 1, 2023, to fund updates to the
 14 commissioner of political practices' website to reflect the changes in [sections 1 and 2].

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16 NEW SECTION. Section 5. Effective date. [This act] is effective July 1, 2023.

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