

## COMMISSIONER OF POLITICAL PRACTICES -- DEPUTIES

### LEGISLATOR NOTICE

The Legislative Services Division is required to offer a brief history on the subject matter of a bill draft request prior to drafting. (5-4-105, MCA; [Chapter 309, Laws of 2017](#)) The history must include related legislation introduced over the last five sessions and hyperlinks to the bill, hearing information, and fiscal notes. The links below open to the introduced bill. The other information is available by selecting the Additional Bill Links hyperlink at the top of the bill and then the link “Status of this Bill.”

**Legislation can be complex and this history is not intended to be exhaustive. Please contact the drafter of the requested bill for more information.**

---

### Background Materials and Research

**Topic Summary:** The Commissioner of Political Practices has statutory authority to investigate and prosecute campaign finance and certain election violations, and the Commissioner has authority over certain ethical practices. The commissioner also has duties related to ethics laws for public official and employees and lobbyist registration. The Commissioner is recused from participating in matters that would give rise to the appearance of impropriety or a conflict of interest or if the Commissioner is accused of violating an ethical standard, and the Commissioner must appoint a deputy who has the same qualifications as the Commissioner for the matter from which the Commissioner is recused. However, if a campaign finance or ethics complaint is filed against the Commissioner, the Attorney General appoints a deputy. Under current law, deputies cannot be an employee of the Commissioner’s office.

#### Legislative Services Division Materials:

[Briefing on Other States’ Ethics Offices](#), April 2012

[Legal Memorandum](#): Statutory Weaknesses in the Office of the Commissioner of Political Practices, January 2012

[Study Resources Page](#) for the 2013-2014 House Joint Resolution No. 1 study commissioner of political practices office

#### Other Materials:

[Commissioner of Political Practices webpage](#)

[Financial-Compliance Audit, 2016](#) – Legislative Audit Committee

[Financial-Compliance Audit, 2014](#) – Legislative Audit Committee

## Introduced Legislation

### 2021

None

### 2019

[HB 183](#) – Died in Standing Committee – AN ACT AUTHORIZING THE COMMISSIONER OF POLITICAL PRACTICES TO DEPUTIZE EMPLOYEES OF THE OFFICE OF THE COMMISSIONER FOR MATTERS UNDER THE JURISDICTION OF THE COMMISSIONER INCLUDING CERTAIN MATTERS IN WHICH THE COMMISSIONER IS RECUSED; PROVIDING QUALIFICATIONS FOR DEPUTIZED EMPLOYEES; AND AMENDING SECTION 13-37-111, MCA.

### 2017

[SB 23](#) – Died in Standing Committee – AN ACT AUTHORIZING THE COMMISSIONER OF POLITICAL PRACTICES TO DEPUTIZE ATTORNEYS EMPLOYED BY THE OFFICE OF THE COMMISSIONER FOR ANY MATTER UNDER THE JURISDICTION OF THE COMMISSIONER EXCEPT FOR MATTERS IN WHICH THE COMMISSIONER IS RECUSED; AND AMENDING SECTION 13-37-111, MCA.

[HB 406](#) – Died in Process – AN ACT PROHIBITING AN INDIVIDUAL WHO SERVED AS COMMISSIONER OF POLITICAL PRACTICES FROM WORKING IN CERTAIN CAPACITIES FOR THE OFFICE OF POLITICAL PRACTICES FOR A CERTAIN TIME PERIOD; AMENDING SECTION 13-37-108, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A RETROACTIVE APPLICABILITY DATE

### 2015

[SB 43](#) – Missed Deadline for General Bill Transmittal – AN ACT AUTHORIZING THE COMMISSIONER OF POLITICAL PRACTICES TO DEPUTIZE ATTORNEYS EMPLOYED BY THE OFFICE OF THE COMMISSIONER FOR ANY MATTER UNDER THE JURISDICTION OF THE COMMISSIONER AND EXCEPT FOR MATTERS IN WHICH THE COMMISSIONER IS RECUSED; AND AMENDING SECTION 13-37-111, MCA.

### 2013

[HB 23](#) – Chapter Number Assigned – AN ACT REVISING ETHICS VIOLATION LAWS FOR THE OFFICE OF THE COMMISSIONER OF POLITICAL PRACTICES; PROHIBITING THE COMMISSIONER FROM ENGAGING IN PRIVATE BUSINESS DURING THE OFFICE HOURS OF THE COMMISSIONER; PROVIDING FOR THE RESOLUTION OF CHARGES OF ETHICS VIOLATIONS BY THE COMMISSIONER OF POLITICAL PRACTICES; AND AMENDING SECTIONS 2-2-136, 13-37-108, AND 13-37-111, MCA.

### 2011

None

### 2009

None

**Prepared By:**

Rebecca C. Power, Legislative Research Analyst  
Montana Legislative Services Division