

1 \*\*\*\* BILL NO. \*\*\*\*  
2 INTRODUCED BY \*\*\*\*  
3 BY REQUEST OF THE \*\*\*\*  
4

5 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT ALL REVENUE FROM THE LICENSING FEE  
6 FOR LOBBYISTS BE DEPOSITED TO THE STATE GENERAL FUND; AMENDING SECTIONS 5-7-103 AND  
7 5-11-1112, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

10  
11 **Section 1.** Section 5-7-103, MCA, is amended to read:

12 **"5-7-103. Licenses -- fees -- eligibility -- waiver.** (1) Any adult of good moral character who is  
13 otherwise qualified under this chapter may be licensed as a lobbyist. The commissioner shall provide a license  
14 application form. The application form may be obtained from and must be filed in the office of the  
15 commissioner. Upon approval of the application and receipt of the license fee by the commissioner, a license  
16 must be issued that entitles the licensee to practice lobbying on behalf of one or more enumerated principals.  
17 The license fee is \$150 for each lobbyist except as provided in subsection (5) or unless the fee is waived for  
18 hardship reasons under this subsection. Each license expires on December 31 of each even-numbered year or  
19 may be terminated at the request of the lobbyist. A lobbyist who believes that payment of the license fee may  
20 constitute a hardship may apply to the commissioner for a waiver of the fee required by this section. The  
21 commissioner may waive all or a portion of the license fee upon proof by the lobbyist that payment of the fee  
22 constitutes a hardship.

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

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

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

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

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

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

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

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

7  
8 **Section 2.** Section 5-11-1112, MCA, is amended to read:

9 **"5-11-1112. State government broadcasting account.** (1) There is a state government  
10 broadcasting account in the state special revenue fund provided for in 17-2-102.

11 (2) There must be deposited in the account:

12 ~~(a) the portion of the lobbyist license fee provided for in 5-7-103(4)(b);~~

13 ~~(b)(a)~~ any gift, donation, grant, legacy, bequest, or devise made for the purposes of this part; and

14 ~~(c)(b)~~ interest or other income earned on the money in the account.

15 (3) Money in the account is available to the division by appropriation and must be used for the  
16 development, operation, and maintenance of a state government broadcasting service as provided for in this  
17 part."

18  
19 **NEW SECTION. Section 3. Effective date.** [This act] is effective July 1, 2020.

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21 - END -

