

1 **** BILL NO. ****

2 INTRODUCED BY ****

3 BY REQUEST OF THE ****

4
5 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING REPORTING THRESHOLDS AND TIMELINES FOR
6 PRINCIPALS PAYING FOR LOBBYING ACTIVITIES; REQUIRING THAT THE REPORTS BE FILED
7 ELECTRONICALLY; AND AMENDING SECTIONS 5-7-112 AND 5-7-208, MCA."

8
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10
11 **Section 1.** Section 5-7-112, MCA, is amended to read:

12 **"5-7-112. Payment threshold—~~inflation adjustment.~~** ~~For calendar year 2004, the~~ The payment
13 threshold referred to in 5-7-102(12)(b), 5-7-103, and 5-7-208 is ~~\$2,150~~ \$3,000. ~~The commissioner shall adjust~~
14 ~~the threshold amount following a general election by multiplying the threshold amount valid for the year in which~~
15 ~~the general election was held by an inflation factor, adopted by the commissioner by rule. The rule must be~~
16 ~~written to reflect the annual average change in the consumer price index from the prior year to the year in which~~
17 ~~the general election is held. The resulting figure must be rounded up or down to the nearest \$50 increment. The~~
18 ~~commissioner shall adopt the adjusted amount by rule."~~

19
20 **Section 2.** Section 5-7-208, MCA, is amended to read:

21 **"5-7-208. Principals to file report.** ~~(1) A principal subject to this chapter shall file with the~~
22 ~~commissioner a report of payments made for the purpose of lobbying. A principal is subject to the reporting~~
23 ~~requirements of this section only if the principal makes total payments for the purpose of lobbying that exceed~~
24 ~~the amount specified under 5-7-112 during a calendar year.~~

25 ~~(2) If payments are made solely to influence legislative action, a report must be made:~~

26 ~~(a) by February 15th of any year the legislature is in session and must include all payments made in~~
27 ~~that calendar year prior to February 1;~~

28 ~~(b) (1) A principal whose total payments for lobbying during a session have exceeded the threshold~~

1 amount specified in 5-7-112 shall report:

2 (a) by the 15th day of the calendar month following a the calendar month in which the principalspent
3 \$5,000 or more and payments during the session exceeded the threshold amount. The report must include all
4 payments made during the session through the prior calendar month; and

5 (b) by the 15th of each calendar month following the report under subsection (1)(a) while the
6 legislature is in session. The report must include all payments made during the previous calendar month. If no
7 payments were made during the previous calendar month, the report shall state that fact; and

8 (c) no later than 30 days following adjournment of a legislative session and. The report must include
9 all payments made during the session, except as previously reported. If all payments made have been
10 previously reported, the report shall state that fact.

11 ~~(3) If payments are made to influence any other official action by a public official or made to influence~~
12 ~~other action and legislative action, a report must be made:~~

13 ~~(a) by February 15th of the calendar year following the payments and must include all payments~~
14 ~~made during the prior calendar year; and~~

15 (2) A principal whose total payments for lobbying during an interim have exceeded the threshold
16 amount specified in 5-7-112 shall report:

17 ~~(b)(a)~~ by the 15th day of the calendar month following a the calendar month in which the principal
18 spent \$5,000 or more and payments during the interim exceeded the threshold amount. The report must
19 include all payments made during interim through the prior calendar month;

20 (b) by the 15th of each month of the interim after the report under subsection (2)(a). Each report must
21 include all payments made during the previous calendar month. If no payments were made during the previous
22 calendar month, the report shall state that fact; and

23 (c) no later than 30 days after the date the legislature convenes in session. The report must include all
24 payments during the interim not previously reported. If all payments were previously reported, the report shall
25 state that fact.

26 ~~(4) If payments are not made during the reporting periods provided in subsections (2)(a), (2)(c), and~~
27 ~~(3)(a), the principal shall file a report stating that fact.~~

28 ~~(5)(3)~~ Each report filed under this section must be filed electronically and must:

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As of: 2020/02/14 08:30:51

Drafter: Sheri Scurr, 406-444-3596

67th Legislature

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1 (a) list all payments for lobbying in each of the following categories:

2 (i) printing;

3 (ii) advertising, including production costs;

4 (iii) postage;

5 (iv) travel expenses;

6 (v) salaries and fees, including allowances, rewards, and contingency fees;

7 (vi) entertainment, including all foods and refreshments;

8 (vii) telephone ~~and telegraph~~; and

9 (viii) other office expenses;

10 (b) itemize, identifying the payee and the beneficiary:

11 (i) each separate payment conferring \$25 or more benefit to any public official when the payment was
12 made for the purpose of lobbying; and

13 (ii) each separate payment conferring \$100 or more benefit to more than one public official, regardless
14 of individual benefit when the payment was made for the purpose of lobbying, except that in regard to a dinner
15 or other function to which all senators or all representatives have been invited, the beneficiary may be listed as
16 all members of that group without listing separately each person who attended;

17 (c) list each contribution and membership fee that amounts to \$250 or more when aggregated over
18 the period of 1 calendar year paid to the principal for the purpose of lobbying, with the full address of each
19 payer and the issue area, if any, for which the payment was earmarked; ~~and~~

20 (d) list each official action on which the principal or the principal's agents exerted a major effort to
21 support, oppose, or modify, together with a statement of the principal's position for or against the action; ~~and~~

22 ~~(e)(4) be kept by the~~ The commissioner must keep reports filed under this section for a period of 10
23 years."

24

25

- END -

State Administration and Veterans Affairs
Zoom Remote Meeting
February 27, 2020
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Exhibit 15