1   _____ BILL NO. _____

2   INTRODUCED BY _____
                                                    (Primary Sponsor)
3

4   A BILL FOR AN ACT ENTITLED: "AN ACT REVISING DISCLOSURE OF CERTAIN ELECTION-RELATED

5   CONTRIBUTIONS OR EXPENDITURES MADE BY ATTORNEYS OF RECORD IN A

6   PROCEEDING;PROVIDING A PRIVATE RIGHT OF ACTION; AND PROVIDING DEFINITIONS."

7

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

9

10   <u>NEW SECTION.</u> **Section 1.   Disclosure of certain campaign contributions -- private right of**

11   **action -- definition.** (1) An attorney of record in a civil action shall file and serve a disclosure statement that:

12   (a)   identifies all contributions or expenditures made by the attorney of record in the past 6 years to

13   the presiding judge's campaign committee; and

14   (b)   all contributions made by the attorney of record in the past 6 years to an independent

15   committee, incidental committee, or a third-party organization that made an independent expenditure to support

16   the judge's campaign.

17   (2)   If the attorney of record has not made any contributions or expenditures listed in subsection

18   (1)(a) or (1)(b), the attorney of record shall file and serve a statement reflecting that fact.

19   (3)   An attorney of record shall:

20   (a)   file the disclosure statements required by subsections (1) and (2) with the attorney of record's

21   first appearance, pleading, petition, motion, response, or other request addressed to the court; and

22   (b)   promptly file and serve a supplemental statement if any of the information required by

23   subsection (1) changes, including a change in the presiding judge or the filing of an appeal.

24   (4)   The presiding judge may sanction the attorney of record for a failure to accurately and timely

25   file and serve the disclosure notices or supplemental statements.

26   (5)   Any party to a proceeding or an opposing attorney of record in a proceeding has a private right

27   of action against an attorney of record who fails to file and serve the disclosure notices and supplemental

28   statements required by this section.

1   (6)   As used in this section, the following definitions apply:

2   (a)   "Contribution" has the meaning provided in 13-1-101.

3   (b)   "Expenditure" has the meaning provided in 13-1-101.

4   (c)   "Incidental committee" has the meaning provided in 13-1-101.

5   (d)   "Independent committee" has the meaning provided in 13-1-101.

6   (e)   "Independent expenditure" has the meaning provided in 13-1-101.

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8   NEW SECTION. **Section 2.   Codification instruction.** [Section 1] is intended to be codified as an

9   integral part of Title 25, chapter 4, part 1, and the provisions of Title 25, chapter 4, part 1, apply to [section 1].

10   - END -