

HOUSE BILL NO. 770

INTRODUCED BY J. ETCHART, F. NAVE, G. KMETZ

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A BILL FOR AN ACT ENTITLED: "AN ACT REVISING CAMPAIGN FINANCE REPORTING REQUIREMENTS AND CONSEQUENCES FOR FAILURE TO FILE; CLARIFYING THAT CANDIDATES SHALL FILE REPORTS EVEN IF NO CONTRIBUTIONS OR EXPENDITURES WERE MADE; CLARIFYING THAT FAILURE TO REPORT RESULTS IN REMOVAL FROM THE BALLOT IN AN ELECTION; AND AMENDING SECTION 13-37-226, MCA."

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

Section 1. Section 13-37-226, MCA, is amended to read:

"13-37-226. Time for filing reports. (1) Except as provided in 13-37-206 and 13-37-225(3), a candidate shall file reports required by 13-37-225(1)(a), even if the candidate has no contributions or expenditures to report, containing the information required by 13-37-229, 13-37-231, and 13-37-232 as follows:

(a) quarterly, due on the 5th day following a calendar quarter, beginning with the calendar quarter in which funds are received or expended during the year or years prior to the election year that the candidate expects to be on the ballot and ending in the final quarter of the year preceding the year of an election in which the candidate participates;

(b) except as provided in subsection (4)(a), the 20th day of March, April, May, June, August, September, October, and November in the year of an election in which the candidate participates;

(c) except as provided in subsection (6), within 2 business days of receiving a contribution equal to the applicable limitation provided in 13-37-216 for the candidate if the contribution is received between the 15th day of the month preceding an election in which the candidate participates and the day before the election;

(d) except as provided in subsection (6), within 2 business days of making an expenditure of an amount equal to or more than the applicable contribution limitation provided in 13-37-216 for the candidate if made between the 15th day of the month preceding an election in which the candidate participates and the day before the election;

1 (e) semiannually on the 10th day of March and September, starting in the year following an
2 election in which the candidate participates until the candidate files a closing report as specified in 13-37-
3 228(3); and

4 (f) as provided by subsection (3).

5 (2) Except as provided in 13-37-206, 13-37-225(3), and 13-37-227, a political committee or a joint
6 fundraising committee shall file reports required by 13-37-225(1)(a) containing the information required by 13-
7 37-229, 13-37-231, and 13-37-232 as follows:

8 (a) quarterly, due on the 5th day following a calendar quarter, beginning with the calendar quarter
9 in which the political committee or the joint fundraising committee receives a contribution or makes an
10 expenditure after an individual becomes a candidate or an issue becomes a ballot issue, as defined in 13-1-
11 101(6)(b), and ending in the final quarter of the year preceding the year in which the candidate or the ballot
12 issue appears on the ballot;

13 (b) except as provided in subsection (4)(b), the 30th day of March, April, May, June, August,
14 September, October, and November in the year of an election in which the political committee or the joint
15 fundraising committee participates;

16 (c) within 2 business days of receiving a contribution, except as provided in 13-37-232, of \$500 or
17 more if received between the 25th day of the month before an election in which the political committee or the
18 joint fundraising committee participates and the day before the election;

19 (d) within 2 business days of making an expenditure of \$500 or more that is made between the
20 25th day of the month before an election in which the political committee or the joint fundraising committee
21 participates and the day before the election;

22 (e) quarterly, due on the 5th day following a calendar quarter, beginning in the calendar quarter
23 following a year of an election in which the political committee or the joint fundraising committee participates
24 until the political committee or the joint fundraising committee files a closing report as specified in 13-37-228(3);
25 and

26 (f) as provided by subsection (3).

27 (3) In addition to the reports required by subsections (1), (2), and (4), if a candidate, political
28 committee, or joint fundraising committee participates in a special election, the candidate, political committee,

1 or joint fundraising committee shall file reports as follows:

2 (a) a report on the 60th, 35th, and 12th days preceding the date of the special election; and

3 (b) 20 days after the special election.

4 (4) (a) A candidate for a municipal office who participates in an election held in an odd-numbered
5 year shall file the reports required in subsection (1) on the 20th day of June, July, August, September, October,
6 and November of the year of the election in which the candidate participates.

7 (b) A political committee that participates in a municipal election held in an odd-numbered year
8 shall file the reports required in subsection (2) on the 30th day of June, July, August, September, October, and
9 November of the year of the election in which the committee participates.

10 (5) Except as provided by 13-37-206, candidates for a local office and political committees that
11 receive contributions or make expenditures referencing a particular local issue or a local candidate shall file the
12 reports specified in subsections (1) through (4) only if the total amount of contributions received or the total
13 amount of funds expended for all elections in a campaign exceeds \$500.

14 (6) A candidate is not required to file a report required by subsection (1)(c) or (1)(d) if the
15 candidate is not opposed in the election.

16 (7) A report required by this section must cover contributions received and expenditures made
17 pursuant to the time periods specified in 13-37-228.

18 (8) A report required by this section is due by 11:59 p.m. on the due date.

19 (9) A political committee may file a closing report prior to the date in 13-37-228(3) and after the
20 complete termination of its contribution and expenditure activity during an election cycle.

21 (10) Failure to comply with reporting requirements under this section will result in a candidate's
22 name not appearing on the official ballot for an election as provided in 13-37-126.

23 ~~(10)~~(11) For the purposes of this section:

24 (a) a candidate participates in an election by attempting to secure nomination or election to an
25 office that appears on the ballot; and

26 (b) a political committee or a joint fundraising committee participates in an election by receiving a
27 contribution or making an expenditure."

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