

## HOUSE BILL NO. 229

INTRODUCED BY S. REICHNER

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A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING LIMITATIONS ON CAMPAIGN CONTRIBUTIONS TO A CANDIDATE BY AN INDIVIDUAL OTHER THAN THE CANDIDATE; ENABLING CAMPAIGN CONTRIBUTIONS FROM CORPORATIONS; ELIMINATING LIMITATIONS ON CAMPAIGN CONTRIBUTIONS TO A CANDIDATE BY A POLITICAL COMMITTEE; AMENDING SECTIONS 13-37-128 AND 13-37-216, MCA; AND REPEALING SECTIONS 13-35-227 AND 13-37-218, MCA."

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

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12 **Section 1.** Section 13-37-128, MCA, is amended to read:

13 **"13-37-128. Cause of action created.** (1) A person who intentionally or negligently violates any of the  
14 reporting provisions of this chapter, a provision of 13-35-225, or a provision of Title 13, chapter 35, part 4, is liable  
15 in a civil action brought by the commissioner or a county attorney pursuant to the provisions outlined in 13-37-124  
16 and 13-37-125 for an amount up to \$500 or three times the amount of the unlawful contributions or expenditures,  
17 whichever is greater.

18 (2) A person who makes or receives a contribution or expenditure in violation of ~~13-35-227~~, 13-35-228,  
19 or this chapter or who violates 13-35-226 is liable in a civil action brought by the commissioner or a county  
20 attorney pursuant to the provisions outlined in 13-37-124 and 13-37-125 for an amount up to \$500 or three times  
21 the amount of the unlawful contribution or expenditure, whichever is greater."

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23 **Section 2.** Section 13-37-216, MCA, is amended to read:

24 **"13-37-216. Limitations on contributions--adjustment.** (1) (a) ~~Subject to adjustment as provided for~~  
25 ~~in subsection (4), aggregate~~ Aggregate contributions for each election in a campaign by ~~a political committee or~~  
26 ~~by~~ an individual, other than the candidate, to a candidate are limited as follows:

27 (i) for candidates filed jointly for the office of governor and lieutenant governor, not to exceed \$500  
28 \$2,500;

29 (ii) for a candidate to be elected for state office in a statewide election, other than the candidates for  
30 governor and lieutenant governor, not to exceed ~~\$250~~ \$1,000;

- 1 (iii) for a candidate for any other public office, not to exceed ~~\$430~~ \$500.
- 2 (b) A contribution to a candidate includes contributions made to the candidate's committee and to any  
3 political committee organized on the candidate's behalf.
- 4 ~~———(2) (a) A political committee that is not independent of the candidate is considered to be organized on~~  
5 ~~the candidate's behalf. For the purposes of this section, an independent committee means a committee that is~~  
6 ~~not specifically organized on behalf of a particular candidate or that is not controlled either directly or indirectly~~  
7 ~~by a candidate or candidate's committee and that does not act jointly with a candidate or candidate's committee~~  
8 ~~in conjunction with the making of expenditures or accepting contributions.~~
- 9 ~~———(b) A leadership political committee maintained by a political officeholder is considered to be organized~~  
10 ~~on the political officeholder's behalf.~~
- 11 ~~———(3) All political committees except those of political party organizations are subject to the provisions of~~  
12 ~~subsections (1) and (2). For purposes of this subsection, "political party organization" means any political~~  
13 ~~organization that was represented on the official ballot at the most recent gubernatorial election. Political party~~  
14 ~~organizations may form political committees that are subject to the following aggregate limitations, adjusted as~~  
15 ~~provided for in subsection (4), from all political party committees:~~
- 16 ~~———(a) for candidates filed jointly for the offices of governor and lieutenant governor, not to exceed \$18,000;~~  
17 ~~———(b) for a candidate to be elected for state office in a statewide election, other than the candidates for~~  
18 ~~governor and lieutenant governor, not to exceed \$6,500;~~
- 19 ~~———(c) for a candidate for public service commissioner, not to exceed \$2,600;~~  
20 ~~———(d) for a candidate for the state senate, not to exceed \$1,050;~~  
21 ~~———(e) for a candidate for any other public office, not to exceed \$650.~~
- 22 (4) (a) ~~The commissioner shall adjust the limitations in subsections (1) and (3) by multiplying each limit~~  
23 ~~by an inflation factor, which is determined by dividing the consumer price index for June of the year prior to the~~  
24 ~~year in which a general election is held by the consumer price index for June 2002.~~
- 25 ~~———(b) The resulting figure must be rounded up or down to the nearest:~~
- 26 ~~———(i) \$10 increment for the limits established in subsection (1); and~~  
27 ~~———(ii) \$50 increment for the limits established in subsection (3).~~
- 28 ~~———(c) The commissioner shall publish the revised limitations as a rule~~
- 29 (2) A political committee as defined in 13-1-101, including but not limited to a corporation or a union, is  
30 not subject to aggregate limits for each election in a campaign for the purposes of this section.

