

HOUSE BILL NO. 733

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A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO THE DISPOSAL OF SURPLUS
CAMPAIGN FUNDS; ALLOWING A CANDIDATE TO CONTRIBUTE THE FUNDS TO A CAMPAIGN OR THE
CANDIDATE'S OWN FUTURE CAMPAIGN; ALLOWING THE CANDIDATE TO CONTRIBUTE THE FUNDS
TO ANOTHER POLITICAL COMMITTEE; AMENDING SECTIONS 13-37-220 AND 13-37-240, MCA; AND
PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Section 13-37-220, MCA, is amended to read:

"13-37-220. Child-care expenses. (1) While a candidate is engaged in campaign activity, a
candidate may use contributions deposited in the candidate's primary campaign depository as provided in 13-
37-205 to pay the candidate's reasonable and necessary child-care expenses.

(2) When a candidate expends funds from the candidate's primary campaign depository as
provided in 13-37-205 to pay for the candidate's child-care expenses, each expenditure must be reported as
provided in Title 13, chapter 37, part 2.

(3) After the candidate's closing campaign report provided for in 13-37-228 is filed, the candidate
may not expend surplus campaign funds for the candidate's child-care expenses as provided in 13-37-240(4).

(4) In-kind child care provided to the candidate while the candidate is engaging in campaign
activity by the candidate's family or an individual known to the candidate is not a contribution and is not
reportable under this chapter. The commissioner shall broadly construe this provision."

1 **Section 2.** Section 13-37-240, MCA, is amended to read:

2 "**13-37-240. Surplus campaign funds.** (1) A candidate shall dispose of any surplus funds from the
3 candidate's campaign within 120 days after the time of filing the closing campaign report pursuant to 13-37-228.

4 In disposing of the surplus funds, a candidate may ~~not~~:

5 (a) contribute the funds to ~~another~~ a campaign, including the candidate's own future campaign; ~~or~~
6 ~~use the funds for personal benefit or~~

7 (b) contribute the funds to a political committee.

8 (2) The candidate may not use the funds for personal benefit.

9 (3) A successful candidate for a statewide elected or legislative office or for public service
10 commissioner may establish a constituent services account as provided in 13-37-402. The candidate shall
11 provide a supplement to the closing campaign report to the commissioner showing the disposition of any
12 surplus campaign funds.

13 ~~(2)~~(4) For purposes of this section, "personal benefit" means a use that will provide a direct or indirect
14 benefit of any kind to the candidate or any member of the candidate's immediate family."

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16 NEW SECTION. Section 3. Effective date. [This act] is effective on passage and approval.

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