

HOUSE BILL NO. 387

INTRODUCED BY J. CARLSON, A. BUCKLEY, L. SHELDON-GALLOWAY, A. REGIER, E. BUTTREY, J. READ, B. USHER, D. BARTEL, K. BOGNER

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING CONSTITUENT ACCOUNT LAWS; REAFFIRMING THAT MONEY IN A CONSTITUENT ACCOUNT MAY NOT BE USED FOR CAMPAIGN EXPENDITURES; ALLOWING A HOLDER TO MAKE EXPENDITURES FROM A CONSTITUENT ACCOUNT WHILE THE HOLDER HAS AN OPEN CAMPAIGN ACCOUNT; AMENDING SECTION 13-37-402, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Section 13-37-402, MCA, is amended to read:

"13-37-402. Constituent accounts -- reports. (1) A constituent services account may be established to pay for constituent services by a successful candidate required to report under 13-37-229. A constituent services account may be established by filing an appropriate form with the commissioner.

(2) (a) A successful candidate may deposit only surplus campaign funds in a constituent services account.

(b) The money in the account may be used only for constituent services. The money in the account may not be used for:

(i) personal benefit; or

(ii) campaign expenditures authorized pursuant to Title 13, chapter 37, part 2. Expenditures from a constituent services account may not be made when the holder of the constituent services account also has an open campaign account.

(3) A person described in subsection (1) may not establish any account related to the public official's office other than a constituent services account. This subsection does not prohibit a person from establishing a campaign account.

(4) The holder of a constituent services account shall file a quarterly report with the commissioner,



1 by a date established by the commissioner by rule. The report must disclose the source of all money deposited  
2 in the account and enumerate expenditures from the account. The report must include the same information as  
3 required for a candidate required to report under 13-37-229. The report must be certified as provided in 13-37-  
4 231.

5 (5) The holder of a constituent services account shall close the account within 120 days after the  
6 account holder leaves public office."

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8 NEW SECTION. Section 2. Effective date. [This act] is effective on passage and approval.

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