

1 HOUSE BILL NO. 46

2 INTRODUCED BY P. INGRAHAM

3 BY REQUEST OF THE COMMISSIONER OF POLITICAL PRACTICES

4

5 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING CAMPAIGN CONTRIBUTION LIMITATIONS FOR A
6 CANDIDATE WHEN THE OFFICE FOR WHICH THE INDIVIDUAL WILL SEEK NOMINATION OR ELECTION
7 IS NOT KNOWN; AND AMENDING SECTION 13-37-216, MCA."

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

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11 NEW SECTION. **Section 1. Limitations on contributions to candidate when office sought is not**
12 **known.** A candidate, as defined in 13-1-101(6)(b), who has not determined the office to which the individual will
13 seek nomination or election is subject to the lowest contribution limitation of the offices the candidate is
14 considering seeking.

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

17 **"13-37-216. Limitations on contributions -- adjustment.** (1) (a) Subject to adjustment as provided for
18 in subsection (4) and subject to [section 1], aggregate contributions for each election in a campaign by a political
19 committee or by an individual, other than the candidate, to a candidate are limited as follows:

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

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

23 (iii) for a candidate for any other public office, not to exceed \$130.

24 (b) A contribution to a candidate includes contributions made to the candidate's committee and to any
25 political committee organized on the candidate's behalf.

26 (2) (a) A political committee that is not independent of the candidate is considered to be organized on
27 the candidate's behalf. For the purposes of this section, an independent committee means a committee that is
28 not specifically organized on behalf of a particular candidate or that is not controlled either directly or indirectly
29 by a candidate or candidate's committee and that does not act jointly with a candidate or candidate's committee
30 in conjunction with the making of expenditures or accepting contributions.

1 (b) A leadership political committee maintained by a political officeholder is considered to be organized
2 on the political officeholder's behalf.

3 (3) All political committees except those of political party organizations are subject to the provisions of
4 subsections (1) and (2). For purposes of this subsection, "political party organization" means any political
5 organization that was represented on the official ballot at the most recent gubernatorial election. Political party
6 organizations may form political committees that are subject to the following aggregate limitations, adjusted as
7 provided for in subsection (4) and subject to [section 1], from all political party committees:

8 (a) for candidates filed jointly for the offices of governor and lieutenant governor, not to exceed \$18,000;

9 (b) for a candidate to be elected for state office in a statewide election, other than the candidates for
10 governor and lieutenant governor, not to exceed \$6,500;

11 (c) for a candidate for public service commissioner, not to exceed \$2,600;

12 (d) for a candidate for the state senate, not to exceed \$1,050;

13 (e) for a candidate for any other public office, not to exceed \$650.

14 (4) (a) The commissioner shall adjust the limitations in subsections (1) and (3) by multiplying each limit
15 by an inflation factor, which is determined by dividing the consumer price index for June of the year prior to the
16 year in which a general election is held by the consumer price index for June 2002.

17 (b) The resulting figure must be rounded up or down to the nearest:

18 (i) \$10 increment for the limits established in subsection (1); and

19 (ii) \$50 increment for the limits established in subsection (3).

20 (c) The commissioner shall publish the revised limitations as a rule.

21 (5) A candidate may not accept any contributions, including in-kind contributions, in excess of the limits
22 in this section.

23 (6) For purposes of this section, "election" means the general election or a primary election that involves
24 two or more candidates for the same nomination. If there is not a contested primary, there is only one election
25 to which the contribution limits apply. If there is a contested primary, then there are two elections to which the
26 contribution limits apply."

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28 **NEW SECTION. Section 3. Codification instruction.** [Section 1] is intended to be codified as an
29 integral part of Title 13, chapter 37, part 2, and the provisions of Title 13, chapter 37, part 2, apply to [section 1].

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