HOUSE BILL NO. 384

INTRODUCED BY J. HINKLE, J. DOOLING, M. BINKLEY, B. LER, K. SEEKINS-CROWE, P. GREEN, T. SMITH, R. KNUDSEN

A BILL FOR AN ACT ENTITLED: “AN ACT REVISING WHEN A CANDIDATE OR COMMITTEE MAY PROVIDE CAMPAIGN FINANCE REPORTS IN HARD COPY; CLARIFYING THAT A CANDIDATE WHO TIMELY FILES A REPORT IN HARD COPY MAY NOT BE REMOVED FROM THE BALLOT; REQUIRING THE COMMISSIONER OF POLITICAL PRACTICE TO PROVIDE CERTAIN FORMS; AND AMENDING SECTION 13-37-225, MCA.”

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

Section 1. Section 13-37-225, MCA, is amended to read:

"**13-37-225. Reports of contributions and expenditures required -- electronic filing and publication.** (1) (a) Except as provided in 13-37-206 and subsections (1)(b) and (1)(c), each candidate, political committee, and joint fundraising committee shall file with the commissioner periodic electronic reports of contributions and expenditures made by or on the behalf of a candidate, political committee, or joint fundraising committee.

(b) The commissioner may, for good cause shown in a written application by a candidate, political committee, or joint fundraising committee grant a waiver to the requirement that reports be filed electronically.

(c) (i) If a candidate or treasurer for a political committee or a joint fundraising committee experiences technical difficulties with the electronic report filing system, the candidate or treasurer may file by fax or e-mail the same information in hard copy with the commissioner that would otherwise be required by subsection (1)(a) to be filed electronically. Within 3 days of filing the required information in hard copy, the candidate or treasurer shall file the information electronically.

(ii) A filing made pursuant to subsection (1)(c)(i) must be considered the same as an electronic submission. The commissioner may not remove a candidate from the ballot for failure to file a report if the candidate meets the requirements of subsection (1)(c)(i).

(d) To facilitate the implementation of subsection (1)(c), the commissioner shall provide an interactive document that can be filled out by the candidate or treasurer and printed, e-mailed, or faxed.

(2) The commissioner shall post on the commissioner's website:

(a) all reports filed under 13-37-226 within 7 business days of filing; and

(b) for each election, the calendar dates that correspond with the filing requirements of 13-37-226.

(3) In lieu of all contribution and expenditure reports required by this chapter, the commissioner shall accept copies of the reports filed by candidates for congress and president of the United States and their political committees pursuant to the requirements of federal law.

(4) A person who makes an election communication, electioneering communication, or independent expenditure is subject to reporting and disclosure requirements as provided in chapters 35 and 37 of this title."

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