

1 HOUSE BILL NO. 733
 2 INTRODUCED BY S. GALLOWAY, E. BUTTREY, J. READ, E. BUTCHER, T. MANZELLA, M. NOLAND, S.
 3 GUNDERSON, L. SHELDON-GALLOWAY, M. HOPKINS, J. FULLER, B. LER, B. PHALEN, F. NAVE, L.
 4 BREWSTER, B. MITCHELL, S. KERNS, S. GIST, K. SEEKINS-CROWE, J. GILLETTE, C. HINKLE, R.
 5 MARSHALL, C. FRIEDEL, M. YAKAWICH, T. BROCKMAN, T. SMITH, R. MINER, G. OBLANDER, N. NICOL,
 6 G. KMETZ, J. ETCHART

7
 8 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO THE DISPOSAL OF SURPLUS
 9 CAMPAIGN FUNDS; ALLOWING A CANDIDATE TO CONTRIBUTE THE FUNDS TO A CAMPAIGN OR THE
 10 CANDIDATE'S OWN FUTURE CAMPAIGN; ALLOWING THE CANDIDATE TO CONTRIBUTE THE FUNDS
 11 TO ANOTHER POLITICAL COMMITTEE; AMENDING SECTIONS 13-37-220 AND 13-37-240, MCA; AND
 12 PROVIDING AN IMMEDIATE EFFECTIVE DATE."

13
 14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

15
 16 **Section 1.** Section 13-37-220, MCA, is amended to read:

17 **"13-37-220. Child-care expenses.** (1) While a candidate is engaged in campaign activity, a
 18 candidate may use contributions deposited in the candidate's primary campaign depository as provided in 13-
 19 37-205 to pay the candidate's reasonable and necessary child-care expenses.

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

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

25 (4) In-kind child care provided to the candidate while the candidate is engaging in campaign
 26 activity by the candidate's family or an individual known to the candidate is not a contribution and is not
 27 reportable under this chapter. The commissioner shall broadly construe this provision."
 28

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."

15

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

17

- END -