

1 SENATE BILL NO. 358

2 INTRODUCED BY G. HERTZ

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4 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING DISCLOSURE OF LOCAL GOVERNMENT
5 CONTRACTS FOR LOBBYING SERVICES; REQUIRING A LOCAL GOVERNMENT TO POST CERTAIN
6 INFORMATION OR THE LOBBYING CONTRACT TO THE LOCAL GOVERNMENT'S WEBSITE; REQUIRING
7 A LOCAL GOVERNMENT TO PROVIDE NOTICE THAT CONTRACTS FOR LOBBYING SERVICES ARE
8 AVAILABLE FOR PUBLIC REVIEW IF THE LOCAL GOVERNMENT DOES NOT MAINTAIN A WEBSITE;
9 REQUIRING A REPORT AT A REGULARLY SCHEDULED MEETING OF THE LOCAL GOVERNMENT
10 WHEN THE LEGISLATURE IS MEETING IN A REGULAR SESSION; PROVIDING AN EXEMPTION FOR
11 CERTAIN CONTRACTS BETWEEN A LOCAL GOVERNMENT AND AN ASSOCIATION OF LOCAL
12 GOVERNMENT OFFICIALS; PROVIDING A DEFINITION; AND PROVIDING AN IMMEDIATE EFFECTIVE
13 DATE."

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

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17 NEW SECTION. **Section 1. Disclosure of local government lobbying contract -- exemption for**
18 **local government associations.** (1) A local government shall prominently display on the local government's
19 website the following information regarding contracts for services that would require a person to register as a
20 lobbyist under Title 5, chapter 7:

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(a) the contract execution date;

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(b) the duration of the contract, including any extension options;

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(c) the effective date;

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(d) the total amount of money the local government paid in the previous fiscal year;

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(e) the identity of all parties to the contract;

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(f) the identity of any subcontractor to the contract; and

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(g) a list of all legislation advocated for or against by all parties and subcontractors to the contract,

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including the position taken on each piece of legislation in the prior fiscal year.

1 (2) In lieu of posting the information required under subsections (1)(a) through (1)(g), the local
2 government may post the contract for lobbying services on the local government's website as long as the
3 contract contains the information specified in subsection (1)(g).

4 (3) The information required under subsections (1) and (2) must be posted and made available
5 within 60 days after the end of the fiscal year in which the contract is signed. The information must remain
6 posted to the website until the information is required to be updated under this section.

7 (4) If the local government does not maintain a website, the local government shall provide public
8 notice that contract for lobbying services is available for review by the public at the office of the local
9 government.

10 (5) At least once a month while the legislature is meeting during each regular session, a local
11 government shall provide a report providing the information required under subsection (1)(g) that is included on
12 the agenda of a regularly scheduled meeting of the local government.

13 (6) (A) A-EXCEPT AS PROVIDED IN SUBSECTION (6)(B), A contract between a local government and an
14 organization or association of local government officials of which the local government is a member and to
15 which the local government pays dues for services in addition to lobbying services is not subject to the
16 disclosure requirements under this section.

17 (B) IF A LOCAL GOVERNMENT PAYS OR DONATES MONEY IN EXCESS OF THE NORMAL DUES FOR SERVICES
18 TO THE ORGANIZATION OR ASSOCIATION AND THE EXCESS MONEY IS USED TO SUPPORT LOBBYING SERVICES, THE
19 EXCESS MONEY IS SUBJECT TO THE DISCLOSURE REQUIREMENTS UNDER THIS SECTION.

20 (7) For the purposes of this section, "local government" has the same meaning as provided in 2-6-
21 1002.

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23 NEW SECTION. Section 2. Codification instruction. [Section 1] is intended to be codified as an
24 integral part of Title 5, chapter 7, part 1, and the provisions of Title 5, chapter 7, part 1, apply to [section 1].

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

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