

SENATE BILL NO. 117

INTRODUCED BY S. VANCE

A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING CERTAIN FUNDS FROM BEING ACCEPTED OR USED FOR THE PURPOSE OF CONDUCTING AN ELECTION; ADDING A PENALTY; PROVIDING THAT A VIOLATION IS A FELONY; AND AMENDING SECTIONS 7-8-103 AND 17-3-1001, MCA."

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

**NEW SECTION. Section 1. Donations -- prohibition -- penalty.** (1) The state, the secretary of state, a county, a municipality, or the officers or employees of those entities may not ~~solicit~~, accept, use, or dispose of a donation in the form of money, grants, property, or personal services from an individual or a corporation, whether operating for-profit or nonprofit, for the purpose of funding the functions or responsibilities of the state, county, or municipality to conduct an election pursuant to the provisions of Title 13. All costs and expenses relating to conducting elections must be paid for with public funds.

(2) This section may not be construed to apply to the donation or use of a location for voting purposes, services that are provided ~~without remuneration at no cost to the state, the secretary of state, a county, a municipality, or the officers or employees of those entities~~, or goods that have a nominal value of less than \$100.

(3) A person who purposefully or knowingly violates this section is guilty of a felony and shall be punished by imprisonment for not less than 1 year or more than 10 years or by a fine of not more than \$50,000, or both.

**Section 2.** Section 7-8-103, MCA, is amended to read:

**"7-8-103. Authorization for governmental and public entities to take property by gift or devise -- restriction.** (1) (a) All counties, all public hospitals and cemeteries, and other public institutions are hereby granted the power and authority to accept, receive, take, hold, and possess any gift, donation, grant, devise, or bequest of real or personal property and the right to own, hold, work, and improve the same.