



ADMINISTRATIVE RULES OF MONTANA

44.12.104 PERSONAL LIVING EXPENSES--LIMITATIONS AND RECORDS

- (1) The exemption from reporting personal living expenses in 5-7-102 (13) (b) (i) , MCA, is limited to actual and necessary personal living expenses incurred by a lobbyist or an individual engaged in lobbying activities.
- (2) All personal living expenses claimed by a lobbyist or an individual engaged in lobbying activities and reimbursed by a principal must be supported by a written receipt from the third party payee, except that a lobbyist or an individual engaged in lobbying activities may be reimbursed by a principal in an amount not to exceed \$10 per day for incidental personal living expenses without a receipt from third party payees.
- (3) If a lobbyist or an individual engaged in lobbying activities received payments for personal living expenses from more than one principal, the total payments made to the lobbyist or the individual engaged in lobbying activities for personal living expenses may not exceed 100% of the actual and necessary personal living expenses incurred by the lobbyist or the individual engaged in lobbying activities.
- (4) Each principal making payments for the personal living expenses of a lobbyist or an individual engaged in lobbying activities may only withhold from reporting the principal's proportional share of the personal living expenses paid by the principal to the lobbyist or the individual engaged in lobbying activities.
- (5) A lobbyist or an individual engaged in lobbying activities receiving payments for personal living expenses from more than one principal is responsible for reporting to each principal the total personal living expenses incurred by the lobbyist or the individual engaged in lobbying activities in each reporting period and the proportional amount of personal living expenses that each principal is obligated to pay. For example, Lobbyist J incurs \$6,000 of personal living expenses in a legislative year. Lobbyist J is reimbursed for personal living expenses by four different principals and the four principals are responsible for paying the following proportional amounts: Principal T (50%) ; Principal X (20%) ; Principal Y (20%) ; and Principal Z (10%) . The four principals are exempt from reporting the following payments to Lobbyist J for personal living expenses:
 - (a) Principal T (50%) , \$3,000;
 - (b) Principal X (20%) , \$1,200;
 - (c) Principal Y (20%) , \$1,200; and
 - (d) Principal Z (10%) , \$600.

Authorizing statute(s): Sec. 5-7-102, 5-7-111, MCA

Implementing statute(s): Sec. 5-7-102, MCA

History: NEW, 2002 MAR p. 2458, Eff. 9/13/02; AMD, 2004 MAR p. 1979, Eff. 8/20/04.