



ADMINISTRATIVE RULES OF MONTANA



44.12.107 LOCAL GOVERNMENT LOBBYING--DEFINITIONS AND REPORTING

- (1) A local government entity, which includes but is not limited to a county, a consolidated government, an incorporated city or town, a school district, or a special district, that engages in lobbying is a principal subject to the requirements of Title 5, chapter 7, MCA, and this chapter. A local government entity is exempt from reporting the following actions as lobbying activities:
 - (a) recommendations or reports to the legislature or a committee thereof, or a public official, in response to a request expressly requesting or directing a specific study, recommendation, or report by a state agency on a particular subject;
 - (b) any duty that is mandated by law, rule or executive order, such as the governor's annual message to the legislature;
 - (c) budget preparation activities related to preparation and submittal of the governor's executive budget as required by Article VI, section 9 of the Montana Constitution (5-7-211 , MCA) ;
 - (d) information or testimony provided in response to a request from the legislature, a legislative committee, or a public official if the information or testimony does not support or oppose the official action under consideration; and
 - (e) the actions of elected local officials while acting in their official capacity for a local government entity to promote or oppose the introduction or enactment of legislation before the legislature or the members of the legislature (5-7-102 (11) (b) , MCA) .
- (2) Except as provided in (1) and unless otherwise exempted by Title 5, chapter 7, MCA, or other provisions of this chapter:
 - (a) the employees, agents, officers, and attorneys of a local government entity who are paid, reimbursed, or retained to lobby must register as lobbyists if they receive payments equal to or greater than the amount specified under 5-7-112 , MCA; and
 - (b) each local government entity must file reports under Title 5, chapter 7, MCA, and this chapter concerning the activities of their lobbyists or their individuals who lobby or support or assist a lobbying activity. Local government entities shall file consolidated lobbying reports covering the lobbying activities of all employees, officers, attorneys, and agents.

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

Implementing statute(s): Sec. 5-7-102, 5-7-111, 5-7-208, 5-7-211, MCA



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History: NEW, 1982 MAR p. 1208, Eff. 6/18/82; AMD, 1994 MAR p. 2749, Eff. 10/14/94; AMD, 2002 MAR p. 2458, Eff. 9/13/02; AMD, 2004 MAR p. 1979, Eff. 8/20/04.