

COMMISSIONER OF POLITICAL PRACTICES



STATE OF MONTANA

JEFFREY A. MANGAN
COMMISSIONER
TELEPHONE (406) 444-2942
FAX (406) 444-1643

1209 EIGHTH AVENUE
PO BOX 202401
HELENA, MONTANA 59620-2401
www.politicalpractices.mt.gov

Campaign Accounts and Banking Requirements – Guidance

- **What documentation will my bank require from me in establishing my campaign account?**
 - **Montana banks now require an EIN number.** COPP requires that all campaigns use a bank located in Montana.
- **Can I raise money for both the primary and the general, and if so, how do contribution limits apply?**
 - **Contribution limits apply per election.** As defined in MCA 13-37-216(5), "... election means the general election or primary election that involves two or more candidates for the same nomination. If there is not a contested primary, there is only one election to which the contribution limits apply. If there is a contested primary, then there are two elections to which the contribution limits apply."
 - Example: I am running for the State Senate. The contribution limit per election per contributor is \$180. I do not have an opponent in the primary. Because of this, there is only one election to which the contribution limits apply, which is the general election. I can therefore accept up to \$180 per contributor.
- **Do I need to establish separate bank accounts for both the primary and the general election?**
 - **Yes.** Contribution limits now apply *per election*, which means that fundraising for the primary election and fundraising for the general election must be completely separate, and a candidate must therefore establish separate bank accounts for each.
- **Can I raise funds for my general election campaign while I'm still running in the primary?**
 - **Yes.** However, because these are separate elections, a candidate must properly report each contribution received as either a primary or general contribution, and the money raised for each election must be kept in separate campaign accounts (see above).
 - Say for example, I am running for State House. I can receive \$180 per election from an individual contributor. A friend wants to contribute \$360 to my campaign, \$180 for both primary and general. I must deposit \$180 into my primary account, \$180 into my general account, and report the contribution on my C-5 finance report as two separate contributions: one for primary, and one for general.
- **What happens to money left over in my primary election account if I don't advance to the general after the primary takes place on June 5, 2018?**
 - A candidate must dispose of any surplus campaign funds within 120 days of filing a closing campaign finance report. Within 135 days of filing a closing campaign finance report, Form C-118 must be filed, reporting the disposition of the surplus funds. A candidate **may not** contribute surplus funds to another campaign, including the candidate's own future campaign (for example, running for the same office during the next election), or use the funds for personal benefit. A candidate **may**:
 - Return funds to a contributor.
 - Donate funds to a non-profit.
- **Can I carry leftover money from my primary election forward to the general?**
 - **Yes.** Leftover funds may be moved from a candidate's primary account to the general account. This is reported as a primary expenditure under Schedule B, and a general fundraiser contribution under Schedule A.

- **I am a current elected official with an open constituent services account. Can I continue to use my constituent services account while campaigning?**
 - **No.** While a candidate has an open campaign account, he or she may not make use of an open constituent services account. Once a candidate has closed their campaign account, they may continue use of their constituent services account.
 - Please note: Even though a candidate may not use their constituent services account while a campaign account is open, the candidate must continue to file quarterly C-8 reports, due January 10, April 10, July 10, and October 10.