Committee and Treasurer Guide to Navigating the Campaign Electronic Reporting System (CERS)

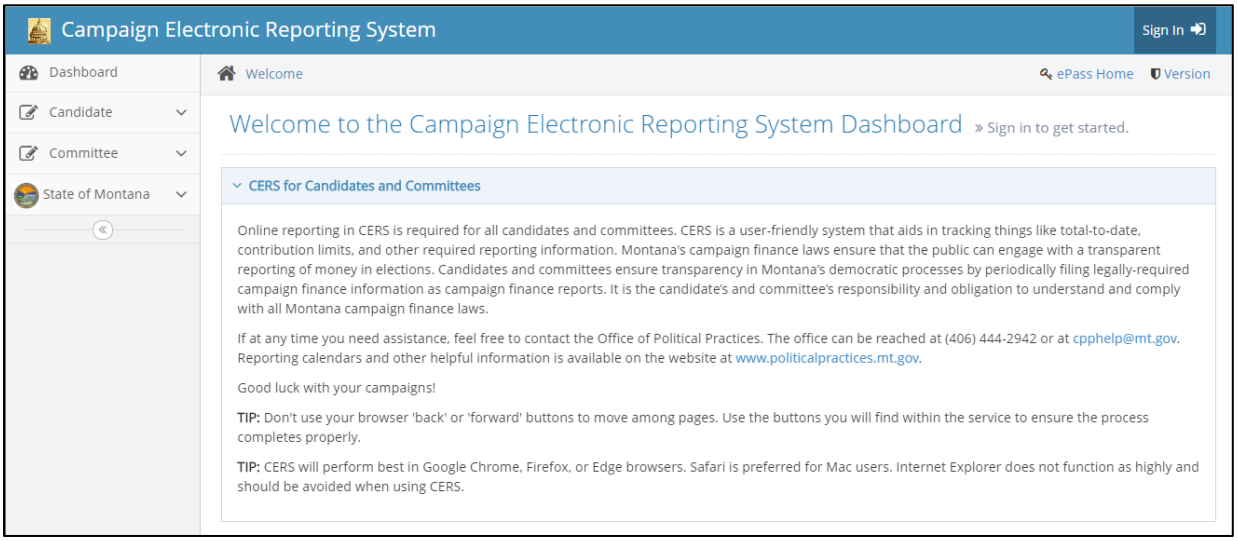

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Table of Contents

Introduction to the Campaign Electronic Reporting System 1

What is the Campaign Electronic Reporting System (CERS)? 1

Who must use CERS to register and for campaign finance reporting? 1

Part 1: File a Statement of Organization in CERS 2

Step 1: Access the CERS System 2

Step 2: Determine if Your Committee Name Already Exists in CERS. If Needed, Register Name. 4

Step 3: Enter in Your Committee Campaign Information 5

Step 4: How to Update a Statement of Organization 6

Part 2: Create a Campaign Finance Report 7

Select the Campaign Finance Report Type (C-4, C-6, C-7, and C-7E) 7

Navigate Tab Options in CERS (E.g. Contributions, Expenditures, File, etc.) 9

Part 3: Add Contributions 12

Types of Contributions 12

1. Individual Contributions 12
2. Committee Contributions 13
3. Fundraiser Contributions 13
4. Refunds, Etc. 13
5. Loans 14

Add a New Contribution 15

Illegal Contributions and Requirements for Specific Contribution Types 17

Part 4: Add Expenditures 18

Independent Expenditures 18

Requirements for Specific Expenditures 22

Often-Missed Expenditurres 22

Part 5: Add Debts 24

Part 6: Add Payments (on Debts and Loans) 26

Part 7: Summary Tab 27

Part 8: File a Campaign Finance Report 28

Part 9: Campaign Finance Report Review Process 29

Part 10: Filing a Closing Report 30
Part 11: Frequently Asked Questions and Tips to Using CERS 31
1. I forgot my ePass login information or I cannot access CERS with my new ePass account. How do I regain access to my CERS profile? 31
2. When does campaign finance data in CERS become public? 32
3. How do I include an addendum for a campaign finance transaction? 32
Part 12: Campaign Finance Resources 33

Introduction to the Campaign Electronic Reporting System

What is the Campaign Electronic Reporting System (CERS)?

Online reporting in CERS is required for all candidates and committees (13-37-225, MCA)**.** CERS is a user-friendly system that helps candidates and committees disclose and report the money they receive and spend to support or oppose candidates and ballot issues.

Montana's campaign finance laws ensure that the public can engage with a transparent reporting of money in elections. Each campaign finance report filed in CERS is publicly available and searchable (data is not public until the report is filed). Candidates and committees ensure transparency in Montana's democratic processes by filing legally-required campaign finance reports. Campaign finance reports are reviewed by the Office of Political Practices (13-37-121[1], MCA).

COPP Compliance Specialists are available full-time during work hours (8:00 a.m. to 5:00 p.m., Monday-Friday) to provide campaign finance reporting support to candidates and committees.

Who must use CERS to register and for campaign finance reporting?

Online reporting in CERS is **required** for all political committees, unless the COPP has granted a waiver. To begin, all committees must create a CERS account (or use a previous CERS account) to file a Statement of Organization.

This same CERS account will be used to enter the committee's campaign finance reports. Creating a CERS account and filing a Statement of Organization is detailed below in Part 1.

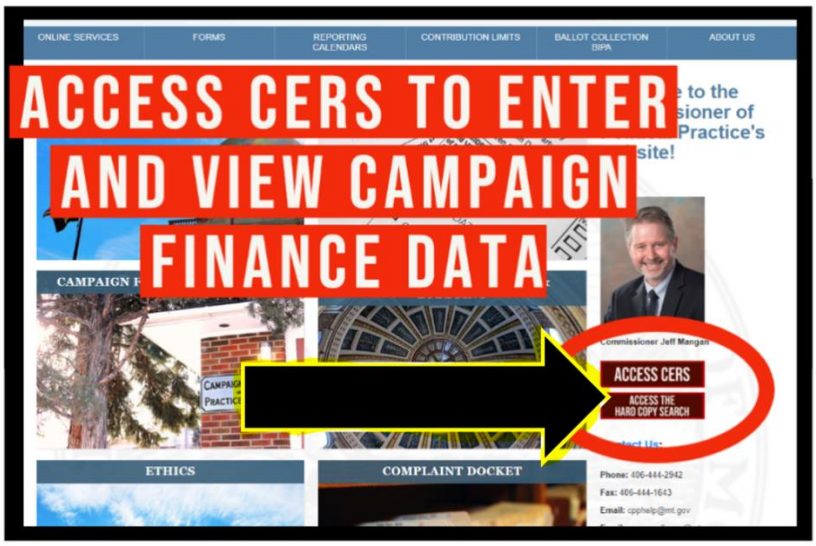
Part 1: File a Statement of Organization in CERS

A Statement of Organization must be filed by all political committees who participate in Montana elections by making expenditures or receiving contributions[1].

A Statement of Organization must be filed within five days once either of these events occur: a committee's campaign treasurer is appointed, or an expenditure to support or oppose a candidate or ballot issue is made.

A committee files a Statement of Organization through the CERS system.

Step 1: Access the CERS System



Access CERS through the COPP's homepage

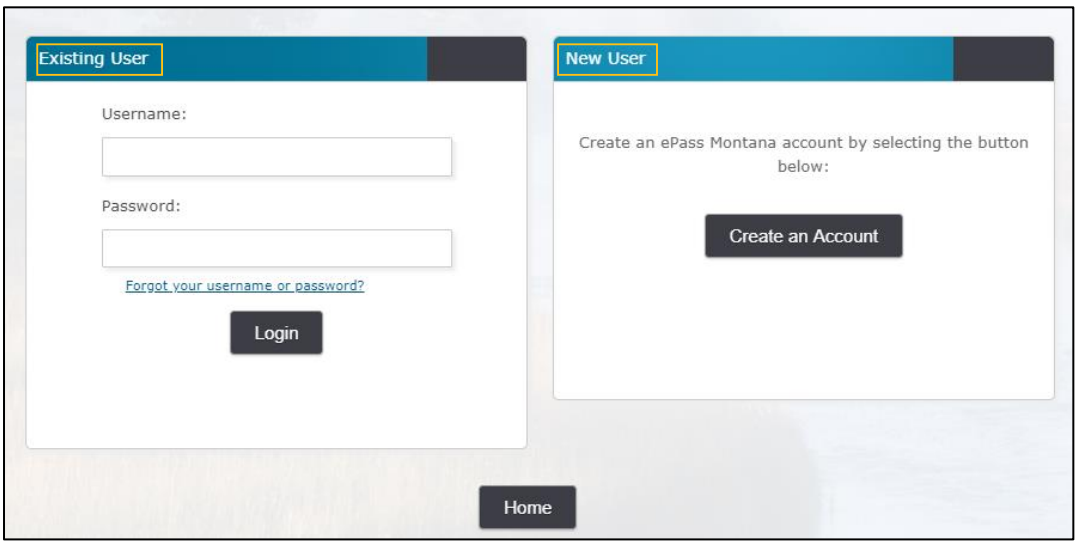
What is ePass? New users should note that the Campaign Electronic Reporting System (CERS) is a stand-alone system that is directly administered by the Office of Political Practices. To access CERS, you must log in via ePass Montana. ePass is a State of Montana application that is not unique to the COPP but is used as a portal to access a variety of statewide resources. While users must use ePass to log into CERS, the two systems are different. Whereas CERS is administered directly by the COPP, ePass is not.

Each committee must log into their ePass account to access CERS. To access the CERS system:

1. Visit the COPP's website, www.politicalpractices.mt.gov. On the homepage, click the red **Access CERS** button above the **Contact Us** information on the right side.

[1] A political committee is formed when a combination of two or more individuals or a person other than an individual makes an election communication, an electioneering communication, or an independent expenditure of $250 or less of reportable election activity.

2. From the CERS dashboard, select the **Sign In** (with arrow) icon. This will take you to the ePass Montana login
3. Access CERS via ePass:
    - *If the committee already has an active ePass Montana account*, you may log in using that username and password.
    - *If the committee does not already have an active ePass account or* cannot remember your login information, click the **Login** button. From there, ePass gives you the option to create a new account (See the New User section on the ePass home page, reference the screenshot below on page 3.).
    - If you have trouble accessing your ePass account, or do not remember your account's username or password, you can reset the username or password through ePass itself. **The COPP cannot assist you with resetting an ePass account username or password or retrieving an existing username or password you have forgotten.**



4. After you successfully login via ePass, you will automatically be redirected back to the CERS dashboard. If you are experiencing difficulty logging in to ePass or are not re-directed to the CERS dashboard after loggin in to ePass, please contact the COPP for assistance.

TIP: Make sure to store your ePass username information in a secure place and where you can reference it. You must log into ePass each time you access CERS to file a campaign finance form.

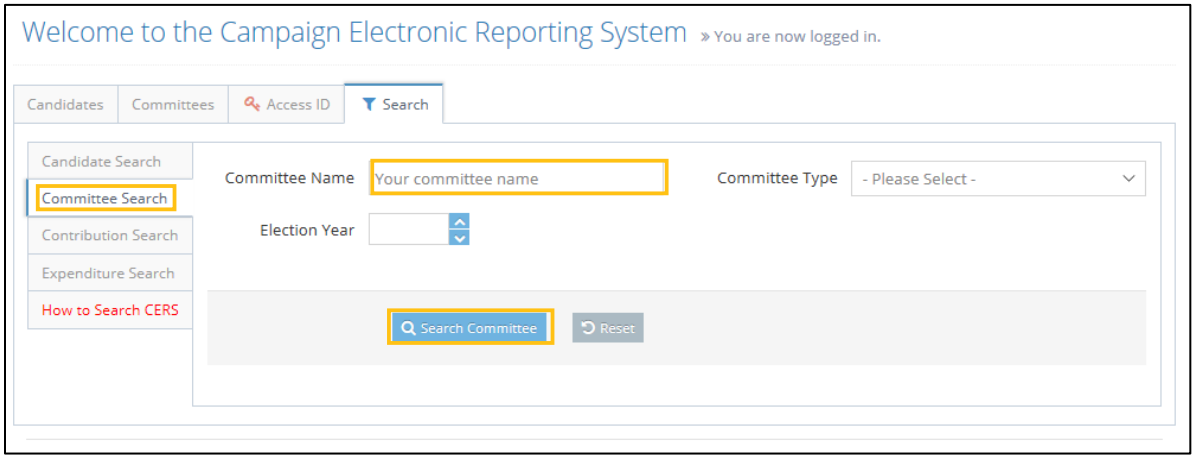
Step 2: Determine if Your Committee Name Already Exists in CERS. If Needed, Register Name.

Before you can add a new committee registration, the CERS system requires you search for the committee's name in case the committee already created a committee CERS account.

> **Note:** Political committees must choose a name that identifies themselves in a way that represents their economic, special interests, or employer. For legal requirements, see 13-37-210, MCA.

To search, navigate to the search option either by using the vertical tool bar beneath the **Dashboard** (upper left), or click **Search Committee** from the CERS homepage.

1. Fill out the **Committee Name**, **Committee Type**.
2. Then, click the **Search Committee** button.



3. *If the committee previously registered* in the CERS system for a prior election year, select that committee by clicking the box to the left of the prior registration profile, and select the **Add New Registration** icon. Continue to Step 3 (on page 5).
4. *If the committee's name does come up* for the current election year, that means that the committee has already registered in the CERS system for that current election year. If this is the case, ***please contact the COPP (444-2942) for assistance accessing the existing account*** instead of creating a second profile**.**
5. *If the committee's name does not come up* from a search, click **Add New Registration** to add a new C-2 registration for that committee for the relevant election year. Continue to Step 3 (on page 5).

Step 3: Enter in Your Committee Campaign Information

1. Fill out all information in the **Committee Information** section:
    a. Enter in the committee name,
    b. Mailing and physical address,
    c. Committee type,
    d. Note whether the committee is incorporated, and
    e. The election year the committee will be conducting political activity for.
2. Fill out all information in the **Committee Treasurer Information or Local Government Authorized Signing Authority** section.
    a. A treasurer must be appointed and certified on the Statement of Organization form.
    b. Treasurers are responsible for depositing and disbursing funds and keeping accurate accounts. The treasurer and deputy treasurer are the only people authorized to make deposits or draw checks on the campaign account.
3. If relevant to your committee, fill out the **Deputy Treasurer Information** section. Not all committees will have a Deputy Treasurer. You will need to select the purple **Add** button (per each deputy treasurer), enter in the deputy treasurer's information, and click **Submit.**
4. Fill out information in the **Committee Account Information** section for the committee's bank information.
5. **Additional Officer Information:** If preferred, other committee officer such as president, vice president, CEO, etc., may be listed.
6. Add in relevant information in the **Purpose of Committee and/or Name(s) of Candidate(s) or Ballot Issue(s)** section.
    a. List the name(s) of all candidates or ballot issues the committee specifically supports, or otherwise clarify why the committee was formally organized (see ARM 44.11.203 for further detail).
    b. List the committee's position per each listed committee issue/purpose (Education, Modify, Monitor, Oppose, Other, Support), and
    c. Identify the status for each issue/purpose (1. Not applicable, 2. Not on ballot, 3. On ballot, 4. On ballot, approved, 5. On ballot, defeated, 6. Support)
7. When all committee information is entered, select **Save** at the bottom of the page.
8. Verify all committee information is correct. If you need to make edits, click the **Edit Information** button, update info, and then click **Save.**
9. Certify all information is true by clicking the **Certification** box at the bottom of the page.
10. Select **Submit and File**.
11. You will now receive an email verifying your successful filing to the email address you provided.
12. You will now be able to navigate back to your CERS homepage. From this page, you can:
    a. View the committee's registration (**View Registration)**,
    b. Amend the committee's registration (**Amend Registration)**,
    c. View, create, and update or amend campaign finance reports (select **Finance Reports**).

Step 4: How to Update a Statement of Organization

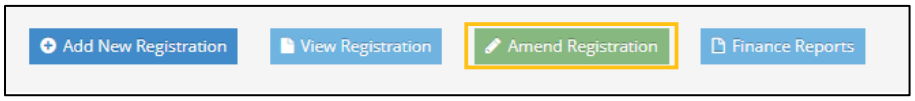
If any of the information in a committee's Statement of Organization changes, the committee must file an amended form providing the new information within five days after the change is occurs (13-37-204, MCA, 44.11.303(2), ARM).

A committee's C-2 registration must be updated in CERS if any of the below information changes:

- Committee contact information (e.g. address, phone numbers, email, etc.),
- Treasurer and deputy treasurer information,
- Purpose of committee, or
- Bank information.

To amend a committee's C-2, navigate to the CERS homepage, and login via ePass Montana.

1. Then, check the box next to the committee's name to select their current registration, and
2. Click **Amend Registration.**



3. Edit and amend the relevant information in the committee's Statement of Organization.
4. Then, check and certify that the registration information is true, complete, and correct, and then select **Submit and File** to save the updates.

Part 2: Create a Campaign Finance Report

Select the Campaign Finance Report Type (C-4, C-6, C-7, and C-7E)

Once logged into CERS, committees can easily file campaign financial reports. Click the **Access My Accounts** button on the **Welcome** page (see below).

CERS TIPS:

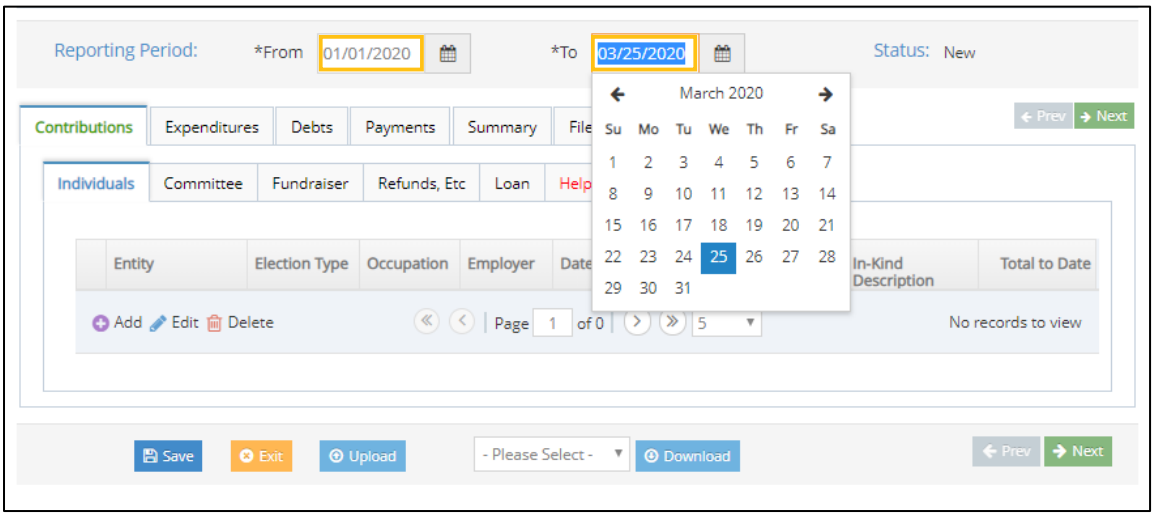
- A new campaign finance report cannot be created if a prior report has a status of 'Pending.'
- Finance reports can be amended at any time after they have been successfully filed (See Part 9 for details on amending reports).
- Campaign finance data can be entered at any time. Data is not public until a report has been filed.

Next, select the committee account by checking the box next to the relevant election year and select the **Finance Reports** button.

From the following page, select the relevant campaign finance report to add (**Add New C4, Add New C6, Add New C7,** or **Add New C7E**).

- **C-4 Incidental Political Committee Finance Report**: Incidental committees file form C-4s to disclose all contributions received and expenditures made during a specific timeframe. Each county, municipal, and school district incidental committee is required to file periodic C-4 reports if contributions are received or expenditures made that exceed $500 combined (13-37-226, MCA).
- **C-6 Political Committee Finance Report**: Form C-6 is the finance report that must be filed by political party, ballot issue, and independent (PAC) committees. The C-6 details all contributions received and expenditures made by the committee during a certain time period (13-37-226, MCA).
- **C-7 Notice of Pre-Election Contributions**: Every political committee must file a Form C-7 if the committee receives $500 or more from a single source between the 26th day of the month before an election and the date of the election. This applies for both primary and general elections. A Form C-7 must be filed within 2 business days after receipt of the contribution (13-37-226, MCA).
- **C-7E Notice of Pre-Election Expenditures**: Every political committee that makes an expenditure or incurs a debt or obligation of $500 or more for election material between the 17th day before the election and the day of the election (13-35-225(1) and 13-37-226, MCA) must file a C-7E. This applies for both primary and general elections. Form C-7E must be filed within two business days after making the expenditure or incurring the debt (13-37-226, MCA).

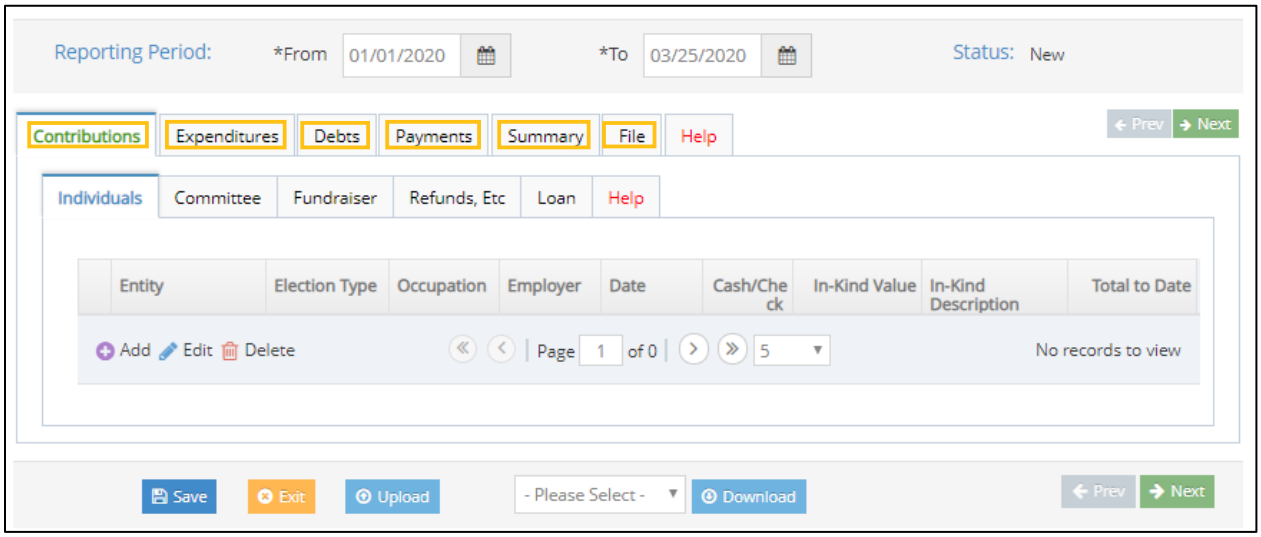
After creating a new finance report, select the date range the report will cover using the dropdown calendar option (see image below).



This time period must mirror the reporting periods as defined on the COPP's reporting page. The time period covered by the report includes up to the fifth day before the due date of the appropriate report. All accounts must be current up to the fifth day before the report due date.

Navigate Tab Options in CERS (E.g. Contributions, Expenditures, File, etc.)

Campaign finance information is entered into the CERS system by committees or treasurers via the following tabs (The functions and purposes of each tab are detailed in Part 3):



1. **Contributions**

   A contribution is defined as a "…distribution of money or anything of value to support or oppose a candidate or ballot issue" (see 13-1-101(9), MCA for full definition). If an individual, political committee, or other entity provides your committee with money or goods or services of value for free or at a reduced rate that are meant to support or oppose a candidate or ballot issue, that would be considered a contribution. Use the Contributions tab to report contributions received from 1) individuals, 2) committees, 3) fundraisers, 4) refunds, rebates, earned interest, etc., and 5) loans.

   In the **Contributions** tab, report: individual contributions, committee contributions, fundraiser contributions, refunds, etc., and loans.

   *Any items or services of monetary value received by a committee for free or at reduced charge would constitute an **in-kind contribution**. For example, in-kind contributions can come in the form of services from a vendor that would usually come with a higher charge where the committee receives a reduced price. The difference between the normal rate and the reduced rate would qualify as an in-kind contribution. Goods, items, or services of definable monetary value rendered to the committee at no charge would also qualify. All in-kind contributions must include a description of the specific items or services received by the committee. See 44.11.403(1) ARM for more details.

2. **Expenditures (Expenses)**

By law (13-1-101 (18) (a), MCA), an expenditure is defined as "a purchase, payment, distribution, loan, advance, promise, pledge, or gift of money or anything of value made by a candidate or political committee to support or oppose a candidate or ballot issue; or used or intended for use in making independent expenditures or in producing electioneering communications." There are a few exceptions that do not need to be reported; reference 13-1-101 (18) (b), MCA.

To add expenditure details to a campaign finance report, click the "Expenditures" or "Independent Expenditures" subtab of the "Expenditures" tab. Then, click the purple + icon of the "Add" button to add a new expense.

An **independent expenditure** is an expenditure for an election communication to support or oppose a candidate or ballot issue made at any time that is not coordinated* with the candidate or ballot issue committee (13-1-101(24) MCA). Disclose Independent Expenditures using the **Independent** tab. Independent expenditures must disclose the name of the candidate(s) or ballot issue(s) the activity was intended to support.

Option to add an addendum: CERS has a 150-character limit per line. If an expenditure requires more characters, an addendum must be filed with the campaign finance report. To include an addendum in your campaign finance report, this information is required:

1. First, in CERS, note in the "Description of Expense" line "See addendum" and include a brief description of the expenditure. For example, "See addendum, $150 Facebook ads."

2. Then, email cppcompliance@mt.gov

- Email subject: Identify that you are sending an addendum and the report it accompanies by identifying the dates the report covers.
- In the email, identify the line item the addendum links to. For example, "$150 Facebook expenditure details."
- Include the missing information either in the email body or as an attachment.

3. **Debts**

A committee must report details for each person or entity to whom the committee owes a debt or financial obligation. Debt details must include the same level of detail as a reported expenditure. This includes: the amount, the date the debt or obligation was contracted, and specific purpose of the debt or contracted obligation. If the exact amount is unknown at the time of filing, the estimated debt amount must be reported (see 44.11.506 ARM).

4. **Payments**

   A committee must report information about all payments made on the campaign's outstanding debts or loans in the **Payments** tab. In this tab, previously reported debts or loans can be selected to record payments.

5. **Summary**

   The **Summary** tab keeps a running total of money received and spent by the campaign during the current reporting period. The summary details the committee's bank balance at the start of the reporting period, all reported contributions received by the campaign, total campaign expenses, and the ending bank balance for both the primary and general election accounts.

6. **File**

   The **File** tab is where the final steps of filing a campaign finance report are completed. To file a report, check the box to certify that all information is correct, and then click the "Certify and File" button.

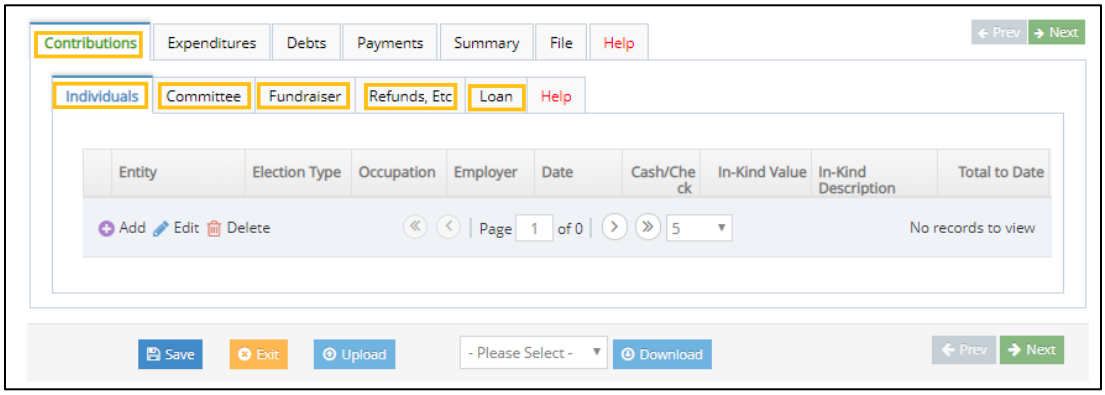
7. **Help**

   Help tabs are available at both the main tab and subtab levels. Reference these for tab overviews, tips, and links to resources and Montana campaign finance law.

Part 3: Add Contributions

Types of Contributions

Committees can receive contributions via loans, fundraisers or other mass collection events, from other committees (political committees, political action committees (PACs), and political party committees), or from individual contributors. All these contributions are reported under the **Contributions** tab. Also, refunds, rebates, or other indirect contributions received by the committee are also reported under the **Contributions** tab.



Enter contributions based on the relevant **Contributions** subtab:

1. Individual Contributions

   Contributions received from individuals must be entered in the "Individuals" tab. Individual contribution details must include whether the contribution is designated for the primary or general election, the date the contribution was received, information about the individual (name, address, employer and occupation are all required for individuals who contribute $35 or more), and whether it was a monetary or in-kind contribution. All in-kind contributions must include a description of the specific items or services received by the committee.

   - **TIP:** "Consultant" is too vague when detailing a contributor's occupation. Be specific. Instead, enter the specific type of consultant: "Marketing consultant," "media consultant," "political strategy consultant," "Mary Kay consultant," etc.
   - All in-kind contributions must include a description of the specific items or services received by the campaign.
   - There is no limit on the amount that an individual can contribute to a political committee.
   - Corporations and unions can make independent expenditures related to a candidate. They are prohibited from making direct, in-kind, or coordinated contributions to a candidate. Earmarked contributions by a corporation or union to a person as a contribution designated for a candidate's campaign are also prohibited. Political

committees who receive funds from corporations or unions should be aware of the prohibition on using those funds to make contributions to candidates, and should only use the funds for independent expenditures.

- Committees may receive contributions from businesses or other corporate entities, but those contributions cannot be earmarked for specific candidates. Contributions received as a check from business accounts must be recorded in the name of the entity actually making the contribution. Accepting a contribution from a business requires the business to file as an incidental committee with the COPP. If the entity making the contribution wishes to avoid registering as an incidental committee and filing the relevant reports with the COPP, your committee should encourage donors to contribute using personal checks.
- **Anonymous contributions and contributions from foreign nationals are illegal** 13-37-217, MCA).

2. Committee Contributions

Contributions received from a political committee must be entered in the "Committee" tab. Committee contribution details must include: whether the contribution is designated for the primary or general election, the date the contribution was received, information about the committee (committee type, committee name, and the committee address), and whether the contribution was a monetary or in-kind contribution. All in-kind contributions must include a description of the specific items or services received by the committee.

Committee contribution limits apply and aggregate contributions are tracked and displayed in CERS.

3. Fundraiser Contributions

Contributions from fundraiser events of $35 or less received at mass collection events (pass-the-hat event, selling campaign t-shirts, raffle tickets, an auction, etc.) are reported in the "Fundraiser" tab (44.11.406 ARM).

- Each individual fundraising event held by the committee should be reported separately as its own event. For example, if you held a fundraising dinner that also had a silent auction and a pass-the-hat activity, that represents three required reporting activities (dinner, silent auction, pass-the-hat).
- A committee is required to maintain identifying information for all contributors, regardless of the contribution amount. This is because anonymous contributions are illegal. This also ensures that if an individual contributes $35 in the aggregate or more (e.g. an individual contributes $20 and then pays $25 for a fundraiser entrance fee, thus passing the $35 reporting threshold), their contributions can be correctly reported once they pass the $35 threshold. Any individual contribution of $35 or more must be reported under the "Contributions" tab's "Individual" option.

4. Refunds, Etc.

The "Refunds, etc." tab is where refunds, rebates, or other indirect contributions received by the committee are reported. An example would be interest earned from the committee's

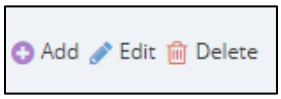
bank account, rebates given to a committee for bills already paid to vendors, or refunds given to a committee for services the committee reported paying for but were not actually provided, so the money was returned to the committee by the vendor.

5. Loans

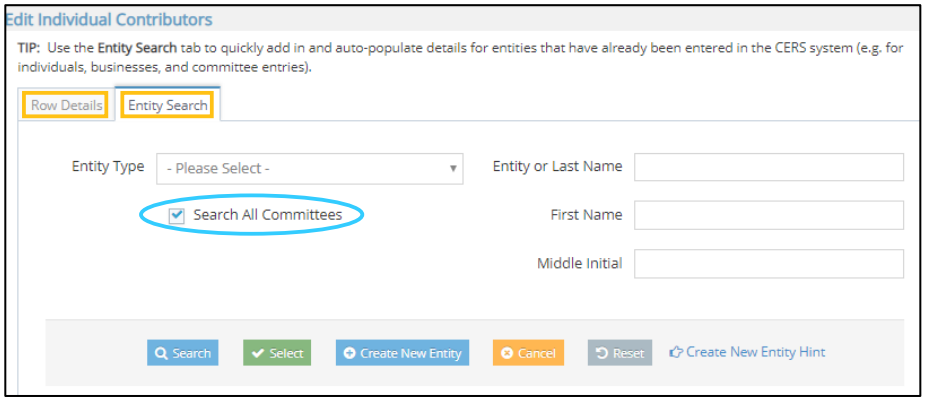
By definition, any loan to a campaign is a contribution to the extent that it remains outstanding (ARM, 44.11.405) and all contribution limits apply. Any loan (regardless of its amount) made to the committee during the current reporting period is reported in the **Loans** subtab, even if the loan is repaid during the same reporting period. Any repayment for a loan is reported in the "Debt/Loan Payments" tab.

Add a New Contribution

To add in contribution information, open the relevant **Contributions** subtab (Individuals, Committee, Fundraiser, Refunds, etc., Loans l), and select the purple **Add** button. Contribution information can also be **edited** and **deleted** in the subtabs.



All contribution types will be redirected to a screen with an **Entity Search** and a **Row Details** tab (see image below).



The **Entity Search** tab is a great way to streamline entering in contribution data. This tab gives users the option to auto-populate previously entered contributor information. If an individual or entity has already been entered into CERS, this search option allows the information to be pulled up and does not require a manual entry.

To search for an individual or entity to identify them as the source of a contribution:

1. Select the **Entity Type** (Bank, Business, or Individual).
2. Enter in the entity or individual's name.
3. Make sure to select the **Search All Campaigns** box to search data beyond the data your committee has entered in CERS (See screenshot above).
4. Select the **Search** button to see if the entity or individual already exists in the system.
    i. *If* the correct information is in the "Entity Search Results" section, check the box next to the relevant entity, and hit **Select.** You will then be redirected automatically to the **Row Details** screen. *If* no "Entity Search Results" appear, click **Create New Entity** to manually enter the information. Once the information is entered, click **Submit**. The next screen redirects to the **Row Details** screen.

The **Row Details** tab is where users enter specific and identifying information about committee contributions.

1. Select the "Election Type" to designate which election the contribution will support (Primary or General),
2. The date the contribution was received (the date the contribution was received by the committee must be used, ***NOT*** the date the contributions was deposited into the committee account),
3. Enter information to identify the contributor source (e.g. the contributor name, address, occupation and employer for individual contributions, the committee name and address for committee contributions).
4. An **in-kind contribution** means the furnishing of services, property, or rights without charge or at a charge which is less than fair market value (44.11.702, ARM). Examples of in-kind contributions are donated goods, the discounted or free use of office space, items or services sold to the committee for less than fair market value, etc. Frequently, in-kind contributions come in the form of services for which charges usually are made but which are rendered to the committee free of charge or at a discounted amount. If something is sold to the committee at less than fair market value, the difference must be recorded as an in-kind contribution. A detailed description is required for all in-kind contributions.
5. The **In-Kind Description** section must describe the in-kind contribution the committee has reported receiving and must be detailed enough to distinguish between items or services that may be similar in nature.

Once all contribution details have been entered in the **Row Details** section, select the **Submit** button, and then select the blue **Save** button.

The **Save** button must be selected after every entry, or the CERS system may override that entry or duplicate the entity for each subsequent entry you make.

Illegal Contributions and Requirements for Specific Contribution Types

1. **Anonymous contributions are illegal in Montana** (13-37-217, MCA). All contributions are required to have a source. Detailed information on contributors of less than the reportable threshold amount of $35 are not required to be disclosed on reporting forms, however, CERS is a very useful system and can cumulatively track contributions. Regardless, campaign records must always maintain the amount the contributor's information regardless of the contribution amount. Contributions must be refused when the source is not known or when the person offering money wishes to not be known.

2. **Contributions from foreign nationals are prohibited.** Federal law prohibits foreign nationals from making contributions in connection to any state, local, or federal election. Contributions cannot be made directly, or through any other person. Further, no person may solicit, accept, or receive such a contribution. If your committee receives a check with a foreign address, it could be that of a US citizen that is oversees for military purposes, etc. The committee should note that on the report so that COPP staff knows that your committee researched the contribution to ensure that is not from a foreign national.

3. **Money laundering:** Use of an intermediary to pass funds along from a third party as a means of concealing the identity of the true donor is illegal. A committee may not knowingly accept a contribution in a name other than that of the person who is the actual contributor (13-37-217, MCA).

4. **Requirements for corporate and union contributions:** Political committees who receive funds from corporations or unions must be aware of the prohibition on using these funds to make contributions to candidates, and should only use the funds for independent expenditures (13-35-227, MCA).

5. **Business contributions:** Committees may receive contributions from businesses or other corporate entities, but those contributions cannot be earmarked for specific candidates. Contributions received as a check from business accounts must be recorded in the name of the entity actually making the contribution.

   Accepting a contribution from a business requires the business to file as an incidental committee with the COPP. If the entity making the contribution wishes to avoid registering as an incidental committee and filing the relevant reports with the COPP, your committee should encourage donors to contribute using personal checks.

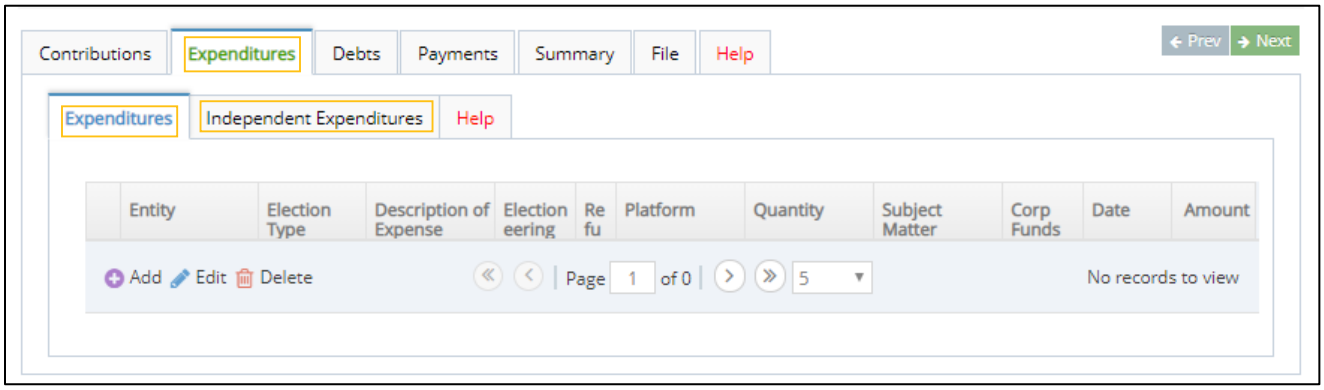
Part 4: Add Expenditures

All committee expenditures must be entered in the **Expenditures** subtabs.

All money spent by a committee must be able to be known in an audit. This means that expenses must be paid by check, debit card, wire transfer or other electronic means that clearly identify the person or entity who received payment from the committee account and the payment date. Expenditures must be reported at the time they are incurred.

Details about expenditure requirements are available at 44.11.502(5) ARM and 13-37-229 MCA. Committees must disclose expenditures under:

1. The **Expenditures** subtab, or
2. The **Independent Expenditures** subtab.



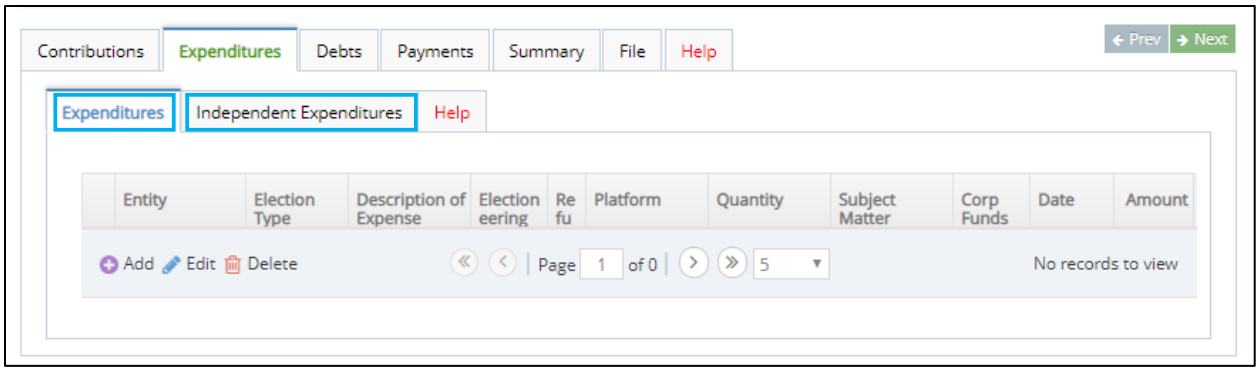
Independent Expenditures

An expenditure for an election communication to support or oppose a candidate or ballot issue made at any time that is not coordinated* with the candidate or ballot issue committee (13-1-101(25) MCA). In addition to the expenditure details listed above, independent expenditures must also report the name of the candidate(s) or ballot issue(s) the activity was intended to support. See 44.11.602, ARM for the full definition of a coordinated expenditure.

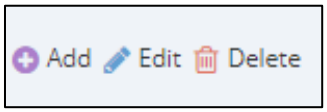
As defined by 44.11.502 (8), ARM, independent expenditures:

> (a) Shall be reported in accordance with the procedures for reporting other expenditures;
> (b) a person making an independent expenditure shall report the name of the candidate or committee the independent expenditure was intended to benefit, and the fact the expenditure was independent; and
> (c) the candidate or political committee benefiting from the independent expenditure does not have to report the expenditure.

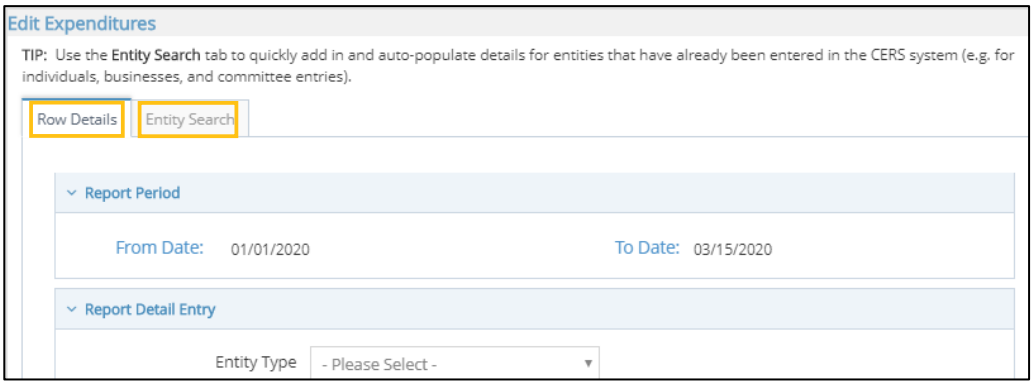
To add in an expenditure or an independent expenditure, select the **Expenditures** tab.



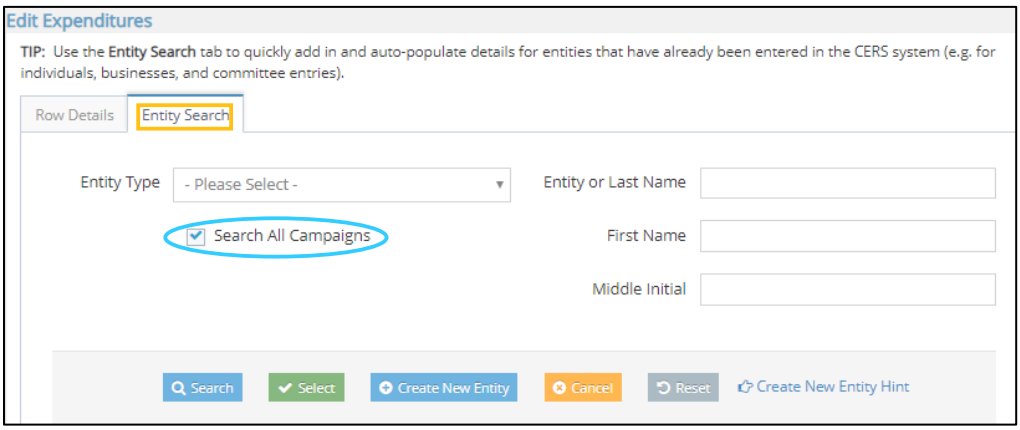
In the subtabs, click whether to add an **Expenditure** or an **Independent Expenditure.** Then, click the purple **Add** button. Expenditure information can also be **edited** and **deleted** in this subtab.



Once the purple **Add** button has been selected, the below screen will appear. Within the screen, there are two tab options: **Row Details** and **Entity Search**.



The **Entity Search** tab is a great way to streamline entering in expenditure data. This tab gives users the option to auto-populate previously entered expenditure information. If an individual or entity has already been entered into CERS, this search option allows the information to be pulled up and does not require a manual entry.



To search for an individual or entity to identify them as the source of an expenditure,

1. Select the **Entity Type** (Bank, Business, or Individual).
2. Enter in the entity or individual's name.
3. Make sure to select the **Search All Campaigns** box to search data beyond the data your committee has entered in CERS.
4. Select the **Search** button to see if the entity or individual already exists in the system.
    i. *If* the correct information is in the "Entity Search Results" section, check the box next to the relevant entity, and hit **Select.** You will then be redirected automatically to the **Row Details** screen.
    ii. *If* no "Entity Search Results" appear, click **Create New Entity** to manually enter the information. You will be redirected to the **Row Details** screen.

The **Row Details** tab is where users enter specific and identifying information about committee expenditures.

1. If the expenditure was not found in the **Entity Search**, enter in the information to identify the expenditure entity (e.g. name, address),
2. Select the "Election Type" dropdown to designate the election the expenditure was made for (Primary or General),
3. The date of the expenditure is the date where payment was made. An expenditure must be reported within the campaign finance report timeframe where the expense occurred.
4. The amount of the expenditure,
5. Check the box if the expenditure is a refund for a contribution that was over the contribution limit,

6. **"Description of Expense**: The expense description must be detailed enough to distinguish a single expense from other expenses.
    - Paid communications must identify: 1) the material's platform/medium, 2) quantity of the materials and/or the dates the paid material(s) ran, and 3) the material's subject matter. See this link for guidance on reporting paid communications.
    - Expenditures made to a consultant, advertising agency, polling firm, etc. must be itemized and must be described in sufficient detail to disclose the specific services performed (13-37-229(vii)(b), MCA).
    - If more space is needed in the "Description of Expense" field, an addendum can be included (see box below for details).
7. Check the box if the expenditure is for an electioneering communication. If the expenditure is for an electioneering communication, the below fields of 1) platform, 2) quantity, and 3) subject matter must be filled out.
8. All **Independent Expenditures** must list the name of the candidate(s) or issue(s) the expenditure intended to benefit.
9. Once an expenditure's details have been entered into the **Row Details** section, select the **Submit** button, and then select the blue **Save** button.

The **Save** button must be selected after every entry, or the CERS system may override that entry or duplicate the entity for each subsequent entry you make.

ADDENDA: CERS limits a **Description of Expense** and the **Subject Matter** field descriptions to a 150-character limit. If more detail is needed, include an addendum. To add an addendum,

1. First, note in the **Description of Expense** or **Subject Matter** "See addendum: brief item description" (e.g. See addendum: Facebook ads 01/01-05/31/20).
2. Then, email a copy of the addendum to cppcompliance@mt.gov and explain that the addendum goes with the report dated xx/xx/xxxx-xx/xx/xxxx. While the COPP will make sure the addendum is saved with the report and easily available for the public to find, addenda cannot be uploaded or entered directly into CERS by the COPP.

Note: Committees must record any monetary contributions they have made to candidates or other committees as an expenditure on the financial report where the contribution was provided. Committees must be aware of the limitations on amounts that they may contribute directly to candidates (13-37-216(2), MCA, 44.11.226 and 227, ARM).

For details on contribution limits, reference this COPP webpage.

Requirements for Specific Expenditures

1. **Expenditures from corporations and/or union contributions:** While corporations and unions are allowed to make independent expenditures related to a candidate, they are prohibited from making direct, in-kind, or coordinated contributions to a candidate, 13-35-227, MCA. Earmarked contributions by a corporation or union to a person as a contribution designated for a candidate's campaign are also prohibited.

2. Corporations or unions who intend to make contributions to a candidate may establish a fund that consists only of funds solicited from non-corporate or non-union sources (13-35-227[3], MCA). **Political committees who receive funds from corporations or unions should be aware of the prohibition on using these funds to make contributions to candidates, and should only use the funds for independent expenditures.**

Often-Missed Expenditurres

1. *Paid election communications* must be reported as an expenditure. This includes expenditures such as: radio ad buys, social media ads (Facebook, Instagram, Snapchat, etc.), Google ads, digital or newspaper ads, yard signs, mailers, etc.

   Each paid communication expenditure must disclose the: 1) platform, 2) quantities (the number of materials/ads and/or the dates the ad(s) ran, and the 3) subject matter of the ads.

   For more information on reporting paid communications, reference this page.

2. *Gas and mileage* must be reported as an expenditure.
   - If a personal vehicle is used for committee -related travel, the committee must report the use of the vehicle and fuel costs as an expenditure based on the federal reimbursement rate.
   - If the committee uses a rental car for committee -related expenses, the cost of the rental car and the cost of fuel must be reported as expenditures.

3. *Consultant fees:* Expenditures made to a consultant, advertising agency, polling firm, etc. must be itemized and must be described in sufficient detail to disclose the specific services performed (13-37-229(vii)(b), MCA).

4. *Vendor Fees (e.g. ActBlue, Revv, etc.)*

Any vendor fees, processing fees, or other costs associated with a contribution-processing vendor (e.g. PayPal, ActBlue, Revv, etc.) must be reported as an expenditure.

Example: a candidate uses PayPal as an intermediary for individuals to make contributions to the campaign.

> The campaign receives a $100.00 contribution from an individual via PayPal, and PayPal assesses a processing fee of $2.00 on this transaction. The candidate would need to report receiving $100.00 (the full amount of the contribution) from the individual, as well as an expenditure of $2.00 to PayPal for the processing fee.

If a vendor fee, processing fee, or other cost is applied to contributions received, the following detail must be included to fully describe the expenditure:

1. **Entity Name:** The vendor name (e.g. PayPal, ActBlue, etc.),
2. **Election** The election relevant to the contribution fees (primary or general), and
3. **Description of Expense:** The dates and total value of the contributions represented by the fees. For example: "$35 in ActBlue fees for $185 in contributions received from 10/1-10/15/20."

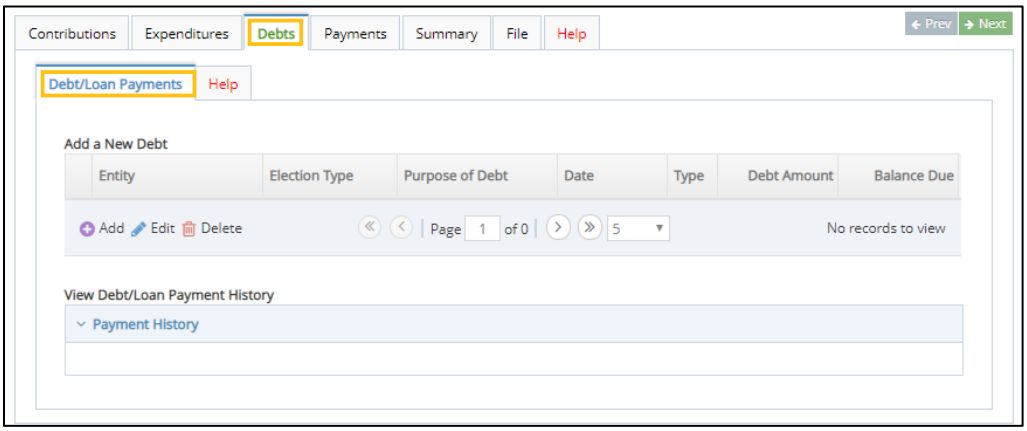
5. *Other Types of Fees and Costs Associated with Contributions*

1. Any vendor fee, processing fee, or other costs associated with contributions received <u>must be reported if the candidate or committee receiving a contribution is the entity paying such a fee</u>.
2. If no fee is charged, the candidate or committee must simply report the contribution amount they received.
3. Similarly, if a fee is charged but the fee is paid for by the entity making the contribution, the receiving entity would not report it as an expenditure.
    a. Example: The United States Committee for Superhero Registration earmarks
        i. $100.00 to donate to the Montana Committee for Superhero Registration, deducts $5.00 as an administrative charge, and then contributes the remaining
        ii. $95.00. Because the United States Committee for Superhero Registration deducted the $5.00 administrative charge before making the contribution to their Montana counterparts, the Montana Committee would not need to report it as an expenditure. Instead, they would only need to report the $95.00 contribution received.

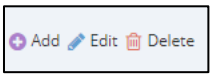
Part 5: Add Debts

All debts or other monetary obligations owed by a committee must be reported in the **Debts** tab.

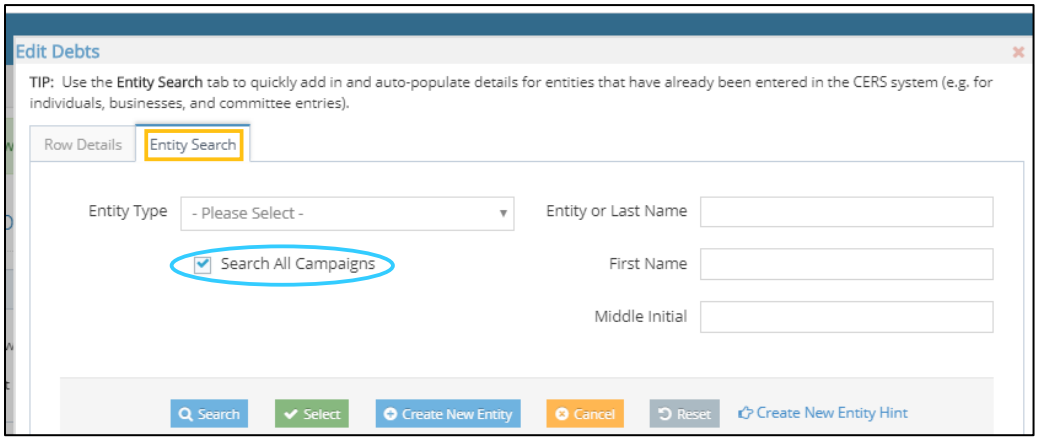
The full name and complete mailing address of the individual or business to whom the debt is owed, a detailed description of the debt or loan, the date incurred, and whether the obligation is for the primary or the general election must be reported. If the exact amount of a debt or obligation is not known, the estimated amount must be reported (44.10.525(2), ARM).



To add in a debt or loan, select the Debt/Loan Payments subtab, and click the purple **Add** button. Debt and loan information can also be **edited** and **deleted** in this subtab.



Just like with adding in contributions and expenditures, committees also advised to use the **Entity Search** tab to streamline entering in debt and loan data.



The **Entity Search** tab gives users the option to auto-populate a previously entered entity or individual's information. If the entity has already been entered into CERS, this search option allows the information to be pulled up and does not require a manual entry.

To search for an individual or entity to identify them as the source of a loan or debt,

1. Select the **Entity Type** (Bank, Business, or Individual),
2. Enter in the entity or individual's name,
3. Select the **Search All Campaigns** box to search data beyond the data your committee has entered in CERS, and
4. Select the **Search** button to see if the entity or individual already exists in the system.
    - *If* the correct information is in the "Entity Search Results" section, check the box next to the relevant entity, and hit **Select.** You will then be redirected automatically to the **Row Details** screen.
    - *If* no "Entity Search Results" appear, click **Create New Entity** to manually enter the information. Once the information is entered, click **Submit**. The next screen redirects to the **Row Details** screen.

The **Row Details** tab is where users enter specific and identifying information about campaign debts and loans. To enter a debt or loan, disclose:

1. The full name, entity type, and complete mailing address of the individual or business to whom the debt is owed,
2. The election that the debt or loan serves,
3. The date the date was incurred/agreed to,
4. The debt or loan amount (If the exact amount of a debt or obligation is not known, the estimated amount must be reported (44.10.525(2), ARM)).
5. A detailed description of the debt or loan in the **Purpose of Debt** section (a debt or loan description must have the same level of detail as an expenditure description).
6. Once a new debt has been entered into the **Row Details** section, select the **Submit** button, and then select the blue **Save** button.

The **Save** button must be selected after every entry, or the CERS system may override that entry or duplicate the entity for each subsequent entry you make.

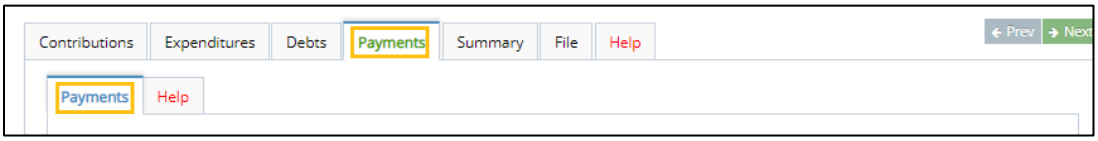
Option to add an addendum: CERS has a 150-character limit per line. If an expenditure requires more characters, an addendum must be filed with the campaign finance report. Addenda are uploaded to the COPP's hardcopy report search for public reference. To include an addendum in a campaign finance report for a debt, this information is required:

1. First, in CERS, note in the "**Purpose of Debt**" description "See addendum" and include a brief description of the expenditure. For example, "See addendum, $150 Facebook ads."

2. Then, email cppcompliance@mt.gov

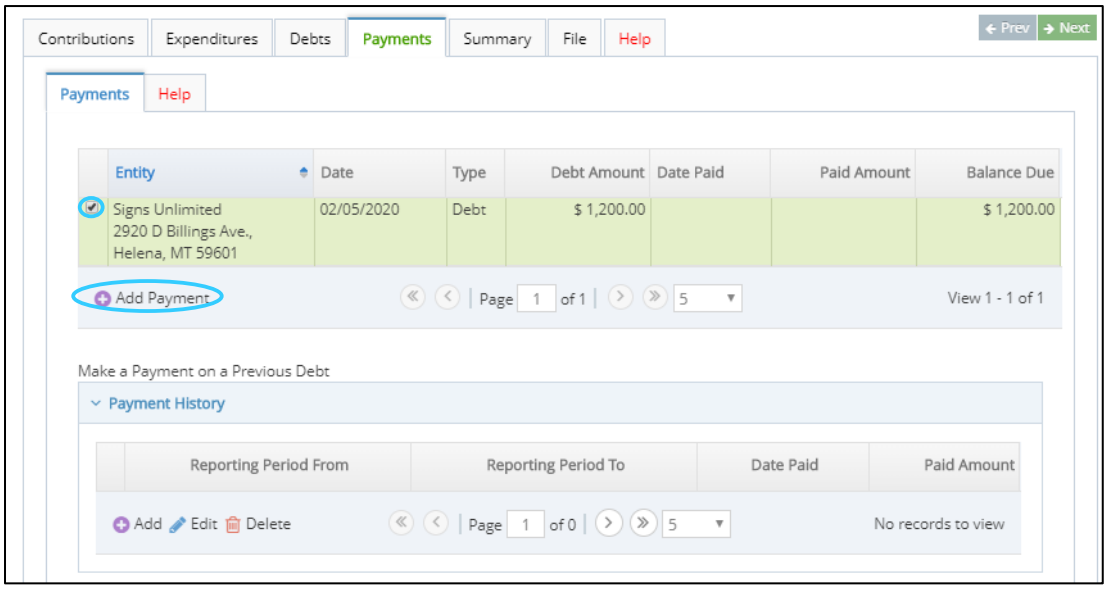
- Email subject: Identify that you are sending an addendum and the report it accompanies by identifying the dates the report covers.
- In the email, identify the line item the addendum links to. For example, "$150 Facebook expenditure details."
- Include the missing information either in the email body or as an attachment.

Part 6: Add Payments (on Debts and Loans)



Payments to any committee debt or loan are reported in the **Payments** tab. All outstanding loans and debts will appear in this tab.

To select a loan or debt to make a payment on, check the box to its left, and click the purple + "**Add Payment**" button to report a payment for the relevant report period.



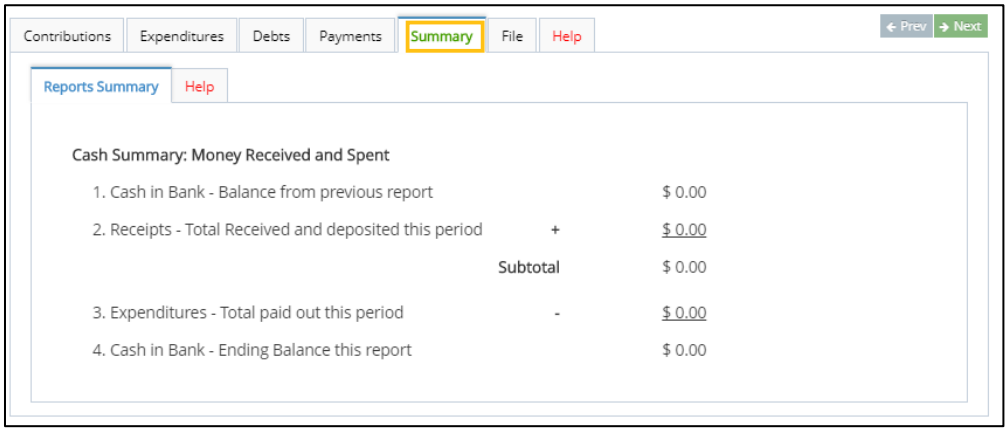
In the next screen,

1. Enter in the date of the loan or debt payment,
2. The amount paid,
3. Click **Submit**,
4. and then click **Save**.

<u>The **Save** button must be selected after every entry</u>, or the CERS system may override that entry or duplicate the entity for each subsequent entry you make.

Part 7: Summary Tab

The **Summary** tab keeps a running total of money received and spent by the committee during the current reporting period.

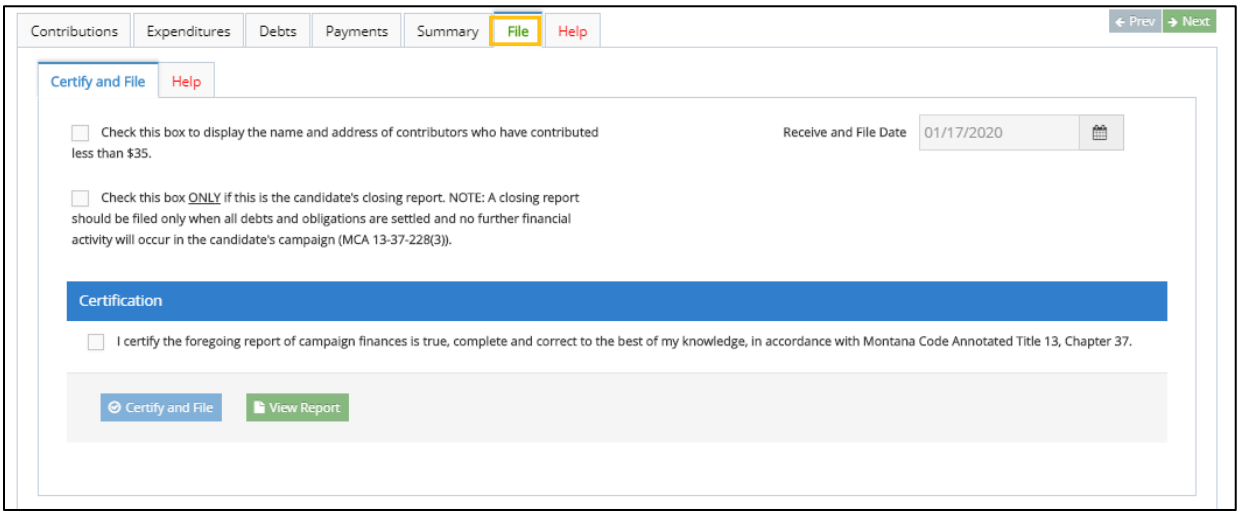


The **Summary** tab keeps a running total of money received and spent by the committee during the current reporting period. The summary details the committee's bank balance at the start of the reporting period, all reported contributions received by the committee, total committee expenses, and the ending bank balance for the primary and general election accounts.

- **Cash in Bank** is the ending balance of the previous report (this will be $0 for the initial report). Please note that the beginning balance (cash in bank) includes all funds the committee reported as having received on previous finance reports; this includes both contributions and loans.
- **Receipts** represent all contributions received during the current reporting period. These are added to the **Cash in Bank** balance and reflected in the **Subtotal** amount.
- **Expenditures** represent all expenditures made by the committee during the current reporting period, and are subtracted from the **Subtotal.**
- The difference between the **Subtotal** and current reporting period **Expenditures** is show in the **Cash in Bank – Ending Balance**. This balance should correspond with the committee's accounts as of the closing date of the reporting period; that is, the fifth day before the report is due.

Part 8: File a Campaign Finance Report

Select the **File** tab to file a campaign finance report.



To file, check the box to certify that all information is correct, and then click the "Certify and File" button.

If a campaign finance report needs to be amended later, this is possible by going back to the committee dashboard, selecting the specific report, and selecting the "Update or Amend Report" button.

Filing options:

- **Display contributors' names and addresses that contributed < $35?** Committees may select this option if they prefer that their finance report shows every individual contribution of less than $35 received. If the option is not selected, CERS automatically aggregates those contributions and includes them as one mass contribution on the public view version of the report.
- **Closing Report:** Select the second box **ONLY** if this is your closing report. A closing report should ONLY be filed when a committee's debts and obligations are settled and no further activity will occur (13-37-228(3), MCA).
- **Certification:** Select the third box to certify that the information in the report is true, complete, and correct to the best of your knowledge. Then, click **Certify and File**.

Part 9: Campaign Finance Report Review Process

The COPP reviews all campaign finance reports and sends the committee an **Inspection Report**.

An Inspection Report is a COPP inspection that occurs each time a committee files a campaign finance report leading up to an election. The Inspection Report notes all changes a committee must make to each campaign finance report in order to comply with Montana law. A CFR Inspection Report will only detail one specific financial report, which will be stated in the "Reference Report" field. Click here to see a sample Inspection Report.

An **Exam** occurs after an election and serves as a final and cumulative inspection of all financial reports filed by a committee (13-37-123, MCA). All campaign finance reports are included in the **Exam**, and the COPP alerts the committee to all outstanding items or issues that must be addressed by the committee.

The COPP is available to assist committees in correcting or addressing all items noted in the CFR Compliance report. However, it is the responsibility of the committee to ensure all reporting requirements have been met.

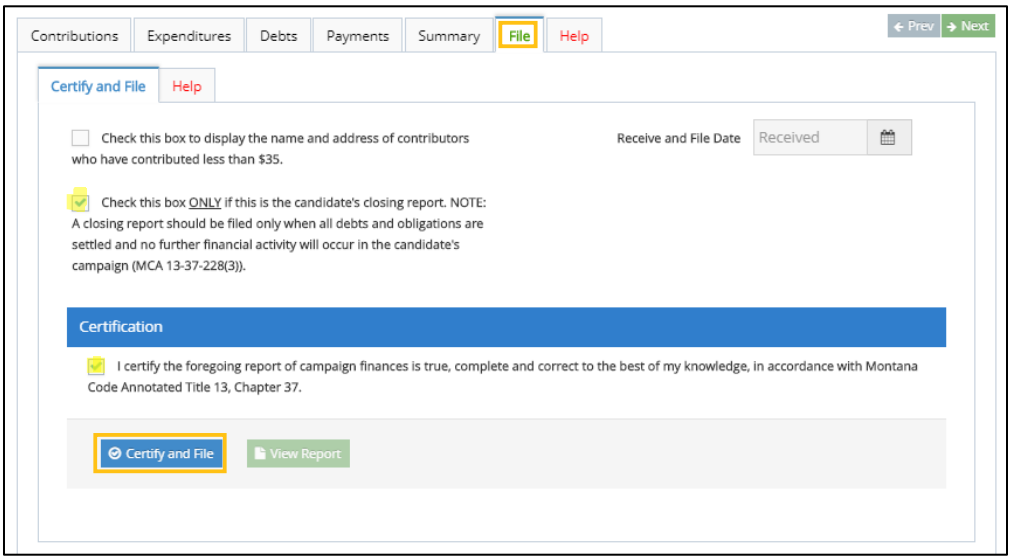
With every **Inspection Report** and the **Exam**, the committee must amend the specific campaign finance report where issues are noted.

- A campaign finance report can be amended by navigating back to the committee dashboard and selecting the blue **Finance Reports** button.
- Then, select the relevant campaign finance report and select **Update or Amend Report.**
- Update information as necessary.
- Save changes.
- Finally, re-file the campaign finance report (Read more about the COPP's Inspection Report and Exam process here).

Part 10: Filing a Closing Report

All committees must file a closing report when all debts and obligations are satisfied and no further committee activity is anticipated. A committee must continue to file C-4 or C-6 reports until a closing report is filed**;** should a committee anticipate future activity and wish to stay open at the conclusion of a given election, remember that future financial reports will be required.

A closing report is simply a final C-4 or C-6 that is filed as a closing report. To file a report as a closing report, simply check the second box on the File tab (see below image), certify the information is true, complete, and correct, and file the report.

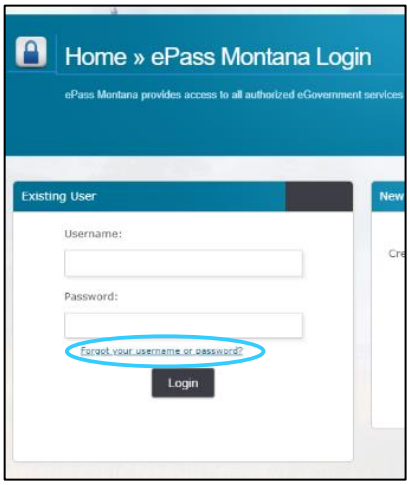


Part 11: Frequently Asked Questions and Tips to Using CERS

1. I forgot my ePass login information or I cannot access CERS with my new ePass account. How do I regain access to my CERS profile?

First, it's important to know that ePass is a State of Montana application that is not unique to the COPP but is used as a portal to access a variety of statewide resources. While users must use ePass to log into their CERS profile, the two systems are different. Whereas CERS is administered directly by the COPP, ePass is not.

If you have trouble accessing your ePass account, or do not remember your account's username or password, you can reset the username or password through ePass itself. The COPP cannot assist you with resetting an ePass account username or password or retrieving an existing username or password you have forgotten.



To reset an ePass username or password, navigate to the ePass page, select **Login**, and then select the **Forgot your username or password?** prompt. The next screen gives you the option to reset both your username and your password or retrieve the existing username or password hint for your profile. If you need further assistance, call the State of Montana's Online Services at (406) 449-3468. If the username or password is changed for the ePass account you used to create the CERS profile, that account should still provide access to CERS.

If you or someone connected to your committee creates a new ePass profile, with a unique username and password, this new ePass account will **NOT** provide instant access to your previous CERS profile. This account access can be connected to a new ePass account by typing in the **Access ID** in the Access ID tab.

The **Access ID** is a unique code generated by the CERS system (and emailed) after a candidate or committee files in CERS. The **Access ID** links the CERS profile with the ePass account. Entering the **Access ID** will prompt you to re-file the Statement of Candidate/Committee, successful filing of which will tie your CERS profile to the ePass account you used to log into the system, and ensures that any data or information you have entered in CERS (registration, financial reports, etc.) is available each time you log in using that specific ePass account**. Please note that a maximum of one (1) unique ePass account may be tied to a CERS profile at any time.**

If you do not have the **Access ID** for a CERS profile, or you are trying to access CERS via an ePass account beyond the single **Access ID** already tied to the CERS profile, the COPP may be able to assist you. To do this, contact the COPP by emailing cpphelp@mt.gov or cppcompliance@mt.gov, ask for your **Access ID**, and briefly explain the nature of your

relationship with the campaign/committee whose CERS profile you wish to access. Upon verification, the COPP will work with you to update your **Access ID**.

Once you receive an updated **Access ID**, log into CERS via ePass and enter that **Access ID** as described above. *Once the **Access ID** for a certain CERS profile is reset by the COPP, any ePass accounts that previously had access to that profile no longer will have access. Keep that in mind before a request to reset the **Access ID** is made, as other individuals who had access to the CERS profile before would no longer have access without using your newly created ePass account or entering the new **Access ID** themselves.*

Please note that the COPP reserves the right to deny an Access ID reset request depending on the circumstances, timing, or nature of the request.

2. When does campaign finance data in CERS become public?

Data entered into CERS is not public until a campaign finance report is filed. This means that a committee can enter in financial data the moment a transaction occurs. The COPP strongly advises committees to be proactive in entering campaign finance data. There is always a five-day window between a period a report covers (e.g. March 16-April 15) and when the report is due (e.g. April 20). It is not advised for committees to wait until the last moment to enter a campaign finance report's data.

3. How do I include an addendum for a campaign finance transaction?

CERS software limits each field entry to 150 characters. If, for example, you have an expenditure for an ad, and all the required ad disclosure details cannot fit in the "Description of Expense" line, you can include an addendum in your campaign finance report to include the required details. (An addendum is the same thing as an attachment. It can also reference several line item details from a campaign finance report. The addendum must identify the specific line item [e.g. expenditure] it references.)

To include an addendum in your campaign finance report, this information is required:

1. First, note in the " Description of Expense " field in CERS "See addendum" and include a brief description of the expenditure. For example, "See addendum, $150 Facebook ads"

2. Then, email cppcompliance@mt.gov
   - **Email subject:** Identify that you are sending an addendum and the C-4 or C-6 report it accompanies by identifying the dates the report covers.
   - **In the email,** identify the line item the addendum links to. For example, "$150 Facebook expenditure details"
   - **Include the missing information either in the email body or as an attachment.**

3. The COPP will upload the addendum's information to the CERS hardcopy database.

Part 12: Campaign Finance Resources

It is a COPP priority that campaign finance be an accessible subject for voters, candidates, committees, lobbyists, and all Montanans. For more details on campaign finance requirements for committees and treasurers, each committee and treasurer should familiarize themselves with this Accounting and reporting Manual for Political Committees.

This list has links to all the webpages this guide referenced:

- Campaign Finance Laws
- Committee Campaign Finance Forms
- How to Report a Paid Communication
- Attribution (Paid for By) Information
- Committee Reporting Calendar
- Contribution Limits
- The COPP's Inspection and Exam Process

Committees and treasurers should contact the COPP office when assistance is needed. We are available to support all committees and treasurers!

- **Phone:** (406) 444-2942
- **Office:** 1209 8th Avenue, Helena, MT
- **General Email:** cpphelp@mt.gov
- **Compliance Email:** cppcompliance@mt.gov
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