

Candidate Campaign Finance Reporting and Disclosure

2024

Office of Political Practices

Chris J. Gallus
COMMISSIONER

Outline

1. Campaign Finance- General Information
2. Campaign Finance Reporting- Forms and Dates
3. Campaign Finance Reporting- Disclosing Contributions received, Expenditures made, and Debts owed
4. Campaign Finance Review Process





1. Campaign Finance- General Information

Campaign Treasurer to Keep Records

- Candidates are required to designate a campaign treasurer, MCA 13-37-201. Candidates may also designate a deputy treasurer, but not more than one per county, MCA 13-37-202. A candidate may designate themselves treasurer or deputy treasurer of own campaign
- Candidates/campaigns are required to keep records of all contributions received and expenditures made, MCA 13-37-208

Campaign Account Required

- Candidates/campaigns are required to utilize a campaign bank account in which to deposit all contributions received and through which to make all expenditures, MCA 13-37-205. Cannot be the candidate's personal account!
- Legislative candidates: may deposit primary and general election contributions in same account as long as certain conditions are met, MCA 13-37-205(6)
- All other candidates must deposit primary and general election contributions in separate accounts

Campaign Contribution Limits

- Montana has campaign contribution limits- candidates are limited in how much they can accept from sources other than themselves
- Limits apply per election- election being a contested primary and/or the general
- Current limits available at <https://politicalpractices.mt.gov/Home/Contribution-Limits>

STATE OF MONTANA POLITICAL CAMPAIGN CONTRIBUTION LIMITS SUMMARY

Applicable as of December 9, 2023

This guide is just a summary - for complete requirements, see [Title 13, Chapters 35 and 37, MCA](#).

CANDIDATE

To Own Campaign.....No Limit

INDIVIDUAL Human Being

To a Political Party Committee.....No Limit

To a Political Action Committee.....No Limit

To a Ballot Issue Committee.....No Limit

To candidates for Governor/Lt. Governor..... \$1,120 per election

To a candidate for Other Statewide Office*.....\$790 per election

To a candidate for Other Public Office**.....\$450 per election

POLITICAL COMMITTEE

To a Political Party Committee.....No Limit

To a Political Action Committee.....No Limit

To a Ballot Issue Committee.....No Limit

POLITICAL COMMITTEES (Excludes Political Party Committees)

To candidates for Governor/Lt. Governor..... \$1,120 per election

To a candidate for Other Statewide Office*..... \$790 per election

To a candidate for Other Public Office**..... \$450 per election

POLITICAL PARTY COMMITTEE Aggregate Limits from ALL political party committees

*Please Note: Political Party Committees **may not contribute** to candidates for judicial offices (i.e. Supreme Court Justice, District Judge, Justice of the Peace).*

A political party committee may endorse a candidate for judicial office and make an independent expenditure relating to such an election. See Sanders County Republican Party v. Bullock, 698 F3d 741 (9th Cir, 2012).

See also personnel services exception ARM 44.11.225 (3).

To candidates for Governor/Lt. Governor.....\$112,200 per election

To a candidate for Other Statewide Office*..... \$84,150 per election

To a candidate for Public Service Commission..... \$16,850 per election

To a candidate for State Senate..... \$3,350 per election

To a candidate for Other Public Office**.....\$2,250 per election

CORPORATION OR UNION

May not contribute directly or indirectly to a candidate, [13-35-227, MCA](#).

Prohibited Contributions

- Candidates may not accept contributions from corporate or union sources, MCA 13-35-227(1) and (2)
- Candidates may accept contributions from political committees established by corporate or union entities, provided those funds come solely from non-corporate/union sources (i.e., individual members)
- Federal law prohibits the acceptance of campaign contributions from foreign nationals



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Attribution of Campaign Material

- Any paid campaign communication financed by a candidate/campaign must include the “**Paid for by**” attribution message, MCA [13-35-225](#)
- For materials financed by a candidate/candidate’s campaign, the attribution message must include the candidate/campaign’s name and mailing address. Party affiliation is also required for candidates in a partisan race
 - For example: Paid for by Potter for City Council, 12 Cupboard Lane, Helena, MT 59601. Boy wizard party
- <https://politicalpractices.mt.gov/Education-and-Resources/Attribution-Information>

PAID FOR BY

A grayscale landscape photograph showing a wide river valley. A river winds through the center of the valley, flanked by snow-covered fields and sparse vegetation. The background features rolling hills and a clear sky. The overall tone is somber and naturalistic.

2. Campaign Finance Reporting- Forms and Dates

Statement of Candidate

- All candidates are required to file a Statement of Candidate with COPP
- File the Statement of Candidate within 5 days of:
 - Soliciting or receiving a contribution;
 - Making or agreeing to make an expenditure; or
 - Filing as a candidate with the election administrator
- The Statement of Candidate must be filed electronically, utilizing the Campaign Electronic Reporting System (CERS)

Statement of Candidate

- The Statement of Candidate must include:
 - The candidate's name, office sought, and contact information;
 - The name and contact information for the designated campaign treasurer and deputy treasurer (if any); and
 - The name and address of the campaign depository (bank)
 - File an amended Statement of Candidate within 5 days if any of this information changes!

Campaign Finance Report (Form C-5)

- Candidates report all contributions received, expenditures made, and debts owed via the C-5 candidate campaign finance report
- Form C-5 is filed electronically, via CERS
- Reports are due monthly: on the 20th of March, April, May, June, August, September, October, and November
- The full 2024 candidate [Reporting Calendar](#) is available on COPP's website

Campaign Finance Report (Form C-5)

Candidate Even Election Year Calendar

Candidate Finance Report Calendar

June Primary/November General elections

Report form C-5 must be filed for each reporting period to disclose all transactions that occurred during the specific reporting period.

Filing Deadline	Reporting Period
January 5	Quarterly- Oct. 1, 2023 through December 31, 2023
March 20	Monthly- January 1 through March 15
April 20	Monthly- March 16 through April 15
May 15 through June 3 (C-7 and C-7E Reporting Period)	File form C-7 within 2 business days if a contribution equal to the applicable contribution limit is received from a single source between between May 15 and June 3 (the day before the primary election)
	File form C-7E within 2 business days if days if an expenditure equal to or more than the applicable contribution limit is made between May 15 and June 3 (the day before the primary election)
May 20	Monthly- April 16 through May 14
June 20	Post Primary- May 15 through June 15
August 20	Monthly- June 16 through August 15
September 20	Monthly- August 16 through September 15
October 15 through November 4 (C-7 and C-7E Reporting Period)	File form C-7 within 2 business days if a contribution equal to the applicable contribution limit is received from a single source between October 15 and November 4 (the day before the general election)
	File form C-7E within 2 business days if an expenditure equal to or more than the applicable contribution limit is made between October 15 and November 4 (the day before general election)
October 20	Monthly- September 16 through October 14
November 20	Monthly- October 15 through November 15
	Reference 13-37-226(1)(e) , Mont. Code Ann. for post-election year reporting dates

1. Reports cover from the end of the previous report to the end of the reporting period
2. For example: The report due March 20 covers January 1 (or date of initial activity, if after January 1) through March 15; the report due April 20 covers March 16 through April 15; etc.

Campaign Finance Report (Form C-5)

1. Reports can be filed anytime from the end of the reporting period to the due date. Don't wait until the 20th to file a report- file anytime between the 16th and the 20th
2. Candidates/campaigns can update reports regularly throughout the reporting period- no need to wait until reporting day to begin this process
3. Contact COPP with questions as soon as they come up!



**3. Campaign Finance Reporting-
Disclosing Contributions
received, Expenditures made,
and Debts owed**

Types of Contributions

- **Monetary contributions:** cash or check provided to the campaign and deposited in the campaign account
- **In-kind contributions:** Items or services of value provided to the campaign for free, or at a reduced rate
- Montana's campaign contribution limits apply to both monetary and in-kind contributions

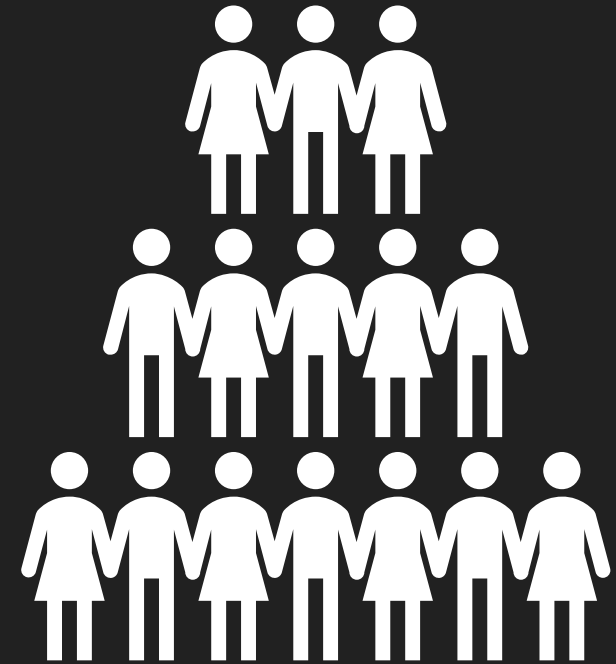
Types of Contributors

1. Individuals (other than the candidate)
2. Political Committees
3. Fundraisers and “Mass Collection” events
4. Refunds, rebates, etc.
5. Loans
6. Contributions from the candidate to own campaign



Individual Contributors

- ****Anonymous contributions are not allowed under Montana law!****
- Required contributor information:
 - Amount of the contribution
 - Whether contribution was monetary or in-kind
 - Name of contributor
 - Address of contributor
 - Occupation and Employer of contributor (if their contributions total \$50 or more)



Political Committee Contributors

- Required contributor information:
 - Amount of the contribution
 - Whether contribution was monetary or in-kind
 - Name of the committee making the contribution
 - Type of committee making the contribution (political party, independent (PAC), incidental, or ballot issue)



Fundraisers and “Mass Collection” events

- Contributions of less than \$50 from a fundraiser or related “mass collection” event can be reported together, as a lump sum.
- Any individual contribution of \$50 or more must be reported as an Individual contribution, under that individual’s name
- **** Anonymous contributions are not allowed under Montana law!**** The source of contributions from a fundraiser or related “mass collection” event must always be recorded, even if an individual’s fundraising-related contribution is less than \$50. This also ensures that if an individual contributes \$50 or more in the aggregate, their contributions can be correctly reported.

Fundraisers and “Mass Collection” events

- Each individual fundraiser or “mass collection” event held by the campaign must be reported separately!
- Details to include:
 - Date and location of the event
 - Event description (Raffle, pass-the-hat, banquet, silent auction, etc.)
 - Number of attendees/tickets sold
 - Total amount raised (<\$50 contributions only)



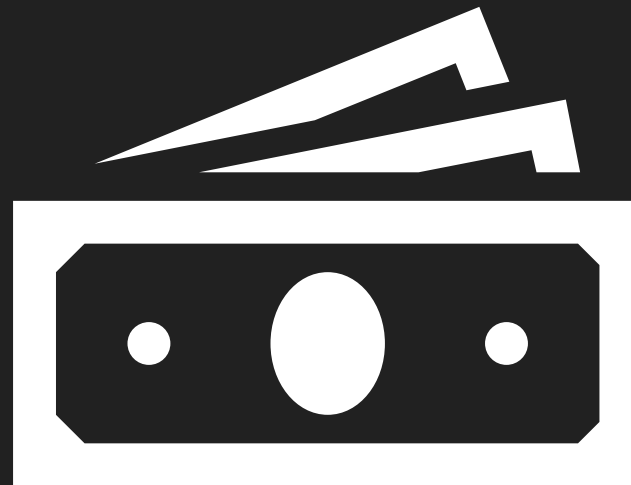
Loans

- All loans are contributions, subject to campaign contribution limits
- Required loan information:
 - Date loan was made
 - Amount of the loan
 - Identity of the individual/entity making the loan



Candidate Contributions

- There is no limit on the amount a candidate may contribute to his or her own campaign
- A contribution means that the candidate will not be reimbursed
- Report as a loan if reimbursement will be sought



Entering Contributions

- All contributions are entered in the C-5 report using the “Contributors” tab
- Click the ‘Add’ icon to add a new entry
- Use the corresponding subtab for each type of contributor (the “individuals” subtab for contributions from individuals other than the candidate; the “committees” subtab for contributions from political committees, etc.)

Entering Contributions

▼ Candidate Information

Candidate Full Name: Cook (COPP Test Account!), Scott

Election Year: 2050

Mailing Address: 315 Lexington Dr. Bozeman, MT 59715

Office Sought: House District No. 01

Reporting Period:

*From 01/01/2024



*To 03/15/2024



Status: Pending

Contributions

Expenditures

Debts

Payments

Attachments

Summary

File

Help

Individuals

Committee

Fundraiser

Refunds, Etc

Loan

Self-Contribution

Help

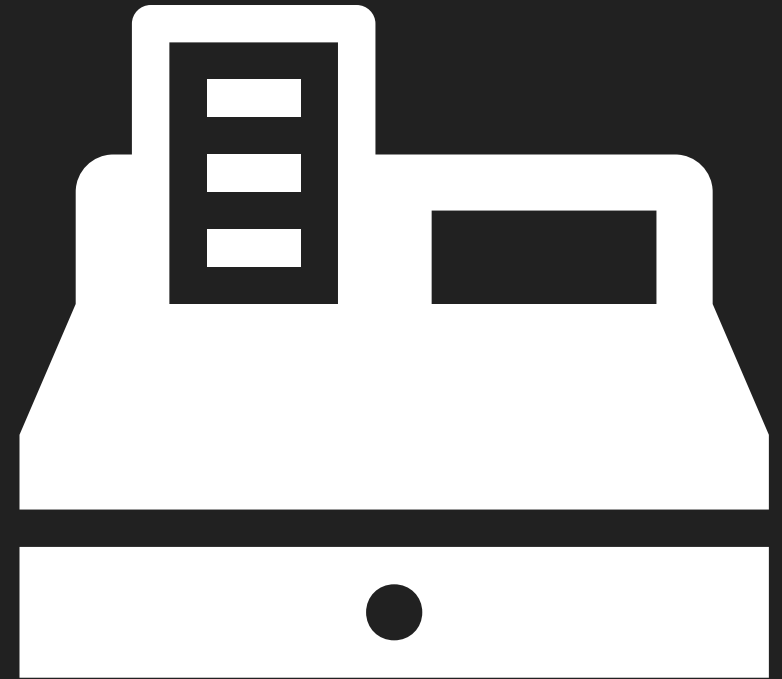
Entity	Election Type	Occupation	Employer	Date	Cash/Check Amount	In-Kind Value	In-Kind Description
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+ Add Edit Delete

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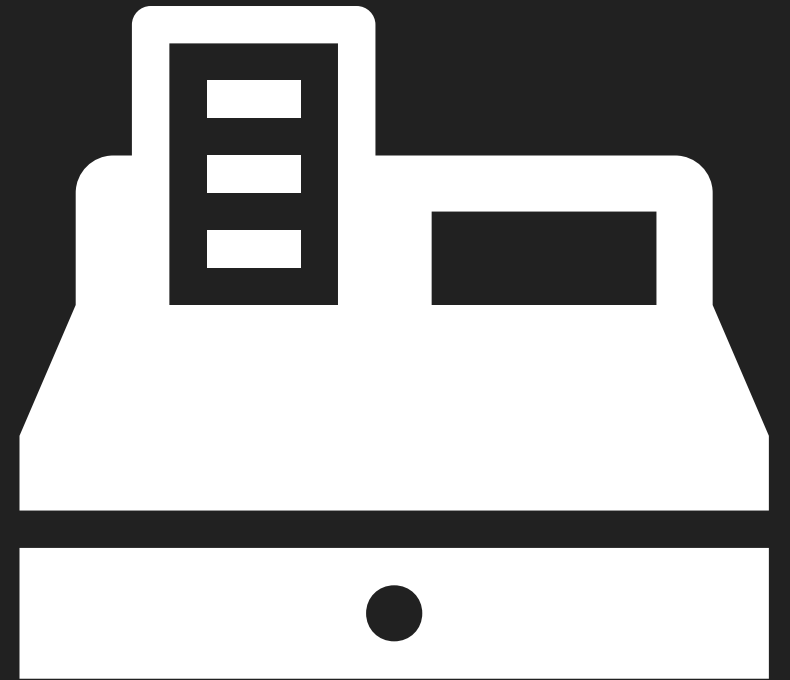
Expenditures

- A candidate/campaign must be able to identify all funds expended. Hold onto receipts/invoices/etc. for all campaign expenses!
- Expenditure detail required to report:
 - Date of the expenditure
 - Amount of the expenditure
 - Name and address of the entity to whom the expenditure was made
 - Brief description of the expense



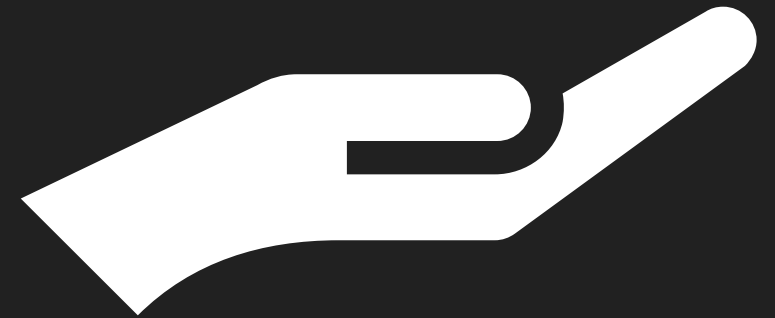
Expenditures

- Expenditures made to a “consultant, advertising agency, polling firm, or other person that performs services” on behalf of the campaign need to be “itemized” (i.e., individually identified) and “described in sufficient detail to disclose the specific services performed”, MCA [13-37-229\(2\)\(b\)](#)



Debts

- A debt is an obligation owed by the campaign for to a vendor for their provision of goods/services provided prior to payment
- ****Debts must be reported within the campaign finance report reporting period where incurred, not when paid!**** If the exact amount owed is unknown, an estimated amount must be reported
- Report debts with the same level of detail as expenditures



Entering Expenditures and Debts

- All expenditures are entered in the C-5 report using the “Expenditures” tab
- Click the ‘Add’ icon to add a new entry
- All debts are entered in the C-5 report using the “Debts” tab
- Report payments made on outstanding Debts or Loans owed using the “Payments” tab
- Click the ‘Add’ button to add a new entry

Entering Expenditures and Debts

▼ Candidate Information

Candidate Full Name: Cook (COPP Test Account!), Scott

Election Year: 2050

Mailing Address: 315 Lexington Dr. Bozeman, MT 59715

Office Sought: House District No. 01

Reporting Period:

*From 01/01/2024



*To 03/15/2024



Status

Contributions

Expenditures

Debts

Payments

Attachments

Summary

File

Help

Expenditures

Help

Entity	Election Type	Description of Expense	Refund	Platform	Quantity	Specific Services	Attachment
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Filing your Report

- When all contributions and expenditures have been entered, make sure to File your report!
- To file: navigate to the 'File' tab, follow the instructions to Certify and File
- A report is not filed- and therefore not available for public review- until you have Certified and Filed!

The screenshot displays a web interface for filing a campaign report. At the top, under 'Candidate Information', the following details are shown: Candidate Full Name: Cook (COPP Test Account), Scott; Election Year: 2050; Mailing Address: 315 Lexington Dr. Bozeman, MT 59715; Office Sought: House District No. 01. Below this, the 'Reporting Period' is set from 09/14/2016 to 12/31/2023, with a status of 'Amended'. A navigation bar includes tabs for Contributions, Expenditures, Debts, Payments, Attachments, Summary, File, and Help. The 'File' tab is active, leading to the 'Certify and File' section. This section contains several checkboxes: 'Check this box to display the name and address of contributors who have contributed less than \$50.' (unchecked), 'Lockout ePass User' (unchecked), 'Stop Status Change' (unchecked), and 'Do Not Send Email' (unchecked). A 'Receive and File Date' field is set to 09/15/2016. A blue bar labeled 'Certification' contains two checkboxes: 'I certify the foregoing report of campaign finances is true, complete and correct to the best of my knowledge, in accordance with Montana Code Annotated Title 13, Chapter 37.' (unchecked) and 'Check this box to skip the validation of contribution limits.' (unchecked). At the bottom, there are two buttons: 'Certify and File' and 'View Report'.



4. Campaign Finance Review Process

Inspection of reports by COPP staff

○ Congratulations! You've filed a C-5 campaign finance report

- After a C-5 report is filed, COPP Compliance Specialists will review your report. After this review, COPP may send you an Inspection Report identifying items that may require additional information, need to be reported differently, etc.;
- If you receive an Inspection Report, please make all requested changes by amending the C-5 report! If you have questions, contact COPP to discuss

Orders of Noncompliance

- The Commissioner may file an Order of Noncompliance against a candidate for their failure to file required documents or for failing to meet Montana's campaign finance reporting requirements, MCA [13-37-121](#)
- Once a formal Order of Noncompliance is issued, the candidate/campaign is provided five (5) days to file the required documents or otherwise submit the necessary information
- If the candidate/campaign does not comply with an Order of Noncompliance in the five (5) days provided, the Commissioner or local county attorney "shall" initiate the appropriate civil or criminal action

Campaign Finance Complaints

- Failure to file reports as required or fully/accurately disclose contributions received and expenditures made may lead to a formal campaign finance complaint being filed against a candidate
- Complaint process is public- anyone can file a complaint. Unlike Orders of Noncompliance, formal Complaints are not initiated by COPP
- COPP is compelled to accept and investigate complaints alleging violation of relevant election law under MCA Title 13, Chapters 35 and 37, MCA [13-37-111](#)

Questions? Contact COPP!



**Address: 1209 8th Avenue
(Helena)**

Phone: (406) 444-2942

Email: cpphelp@mt.gov

or

cppcompliance@mt.gov