

**BEFORE THE COMMISSIONER OF POLITICAL PRACTICES (COPP)**

<b>DANIEL ZOLNIKOV</b>  <b>v.</b>  <b>MONTANA YOUNG REPUBLICANS</b>	<b>COPP-2026-CFP-001</b>  <b>FINDING OF SUFFICIENT FACTS TO SUPPORT VIOLATIONS</b>
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**COMPLAINT**

On April 6, 2026, Daniel Zolnikov of Billings, MT filed a Campaign Finance and Practices (CFP) complaint against the Montana Young Republicans, a registered Montana political committee. The complaint alleged that the Montana Young Republicans committee failed to timely file a committee finance report.

The complaint met the requirements of ARM 44.11.106, the administrative rule governing campaign finance and practices complaints and alleged violations which fall under my jurisdiction as Montana’s Commissioner of Political Practices. Consequently, I accepted it as filed and requested a response from Montana Young Republicans. Montana Young Republicans filed a response via email through deputy treasurer Elijah Tidswell. The complaint and response are posted on COPP’s website, [politicalpractices.mt.gov](http://politicalpractices.mt.gov).

**BACKGROUND**

Montana Young Republicans registered with COPP as a political party committee, filing a C-2 Statement of Organization with COPP on September 28, 2023. This C-2 Statement of Organization was most recently amended on August 19, 2025, and lists John W Maxwell IV of Billings, MT, as the committee treasurer, and Elijah Tidswell of Billings, MT, as deputy treasurer. Since their inception, Montana Young Republicans have filed 15 campaign

finance reports disclosing contributions received and expenditures made relating to their participation in Montana elections.

Political party committees such as Montana Young Republicans, participating in Montana's 2026 primary and general election cycle had a monthly C-6 committee finance report due on or before March 30, 2026, with this report disclosing all contributions received and expenditures made during the period of January 1, 2026, through March 25, 2026. MCA §§ 13-37-226(2)(b) and 228(2). As indicated in the response provided by the committee and independently confirmed by COPP, Montana Young Republicans filed a periodic report covering the period of January 1, 2026, through March 31, 2026, on the night of April 6, 2026, outside of COPP's regular office hours.

## **DISCUSSION**

### *Time for filing reports*

As discussed in *Bradshaw v. Bahr*, "Montana's campaign finance report filing requirements are mandatory. COPP-2018-CFP-008. See §13-37-226 MCA. The filing date requirements prescribed in MCA § 13-37-226(2) are date certain. Therefore, any failure to meet a mandatory, date certain filing deadline is a violation of Montana election law. In this case, Montana Young Republicans filed the C-6 committee finance report due on or before March 30, 2026, 7 days late, on April 6, 2026, following COPP's acceptance of this complaint.

In their response, Montana Young Republicans sites "technical difficulties in the days leading up to the deadline" and states they "had been in contact with" the COPP office "to keep you informed." (Response.)

Montana law provides an exception to the electronic filing requirement for candidates or committees experiencing technical difficulties:

If a candidate or treasurer for a political committee or a joint fundraising committee experiences technical difficulties with the electronic report filing system, the candidate or treasurer may file by fax or e-mail the same information in hard copy with the commissioner that would otherwise be required by subsection (1)(a) to be filed electronically. Within 3 days of filing the required

information in hard copy, the candidate or treasurer shall file the information electronically. MCA § 13-37-225(1)(c)(i).

COPP records do not show any communications with Montana Young Republicans regarding the finance report at issue until official notification of the filing of this complaint occurred on April 6, 2026. This discrepancy regarding communication notwithstanding, MCA § 13-37-225 provides the appropriate remedy for any technical issues, a solution Montana Young Republicans failed to employ. No hard-copy report was filed “by fax or email” on or prior to the due date, and certainly the committee did not “file the information electronically” within the required 3 days.

COPP strives to facilitate accurate and timely reporting through the inspection process. MCA § 13-37-121. However, even a singular late report that is the subject of a complaint indicates harm to at least one member of the public who sought out and was unable to find information to which they are legally entitled.

Sufficient evidence exists to indicate Montana Young Republicans violated MCA § 13-37-226 – Time for filing reports, by failing to timely file their C-6 committee finance report due on March 30, 2026.

### *Statement of Organization*

Although COPP inspects each report filed and strives to notify any political committee or candidate of any errors or deficiencies, occasionally when investigating allegations made in a complaint, COPP discovers additional violations that have gone unnoticed. Here, an additional violation was revealed when reviewing Montana Young Republican’s Statement of Organization.

A statement of organization required to be filed pursuant to 13-37-201 and 13-37-205, MCA, shall include. . .the name, office sought, and party affiliation (if any) of each candidate on whom the committee makes a reportable election expenditure, or if a committee is supporting the entire ticket of any party, the name of the party. Ballot issue or issues concerned, if any, and whether a

committee is in favor of or opposes such issues or issues. ARM 44.11.201(1)(f)(g).

Montana Young Republicans C-2 Statement of Organization, filed with COPP, does not include a designated purpose. An accurate Statement of Organization, including the current purpose is paramount to providing transparency to Montana voters. Recent COPP decisions such as *Montana Freedom Caucus v. Rep. Zephyr* and *Kephart v. Scow* address the importance of an accurate Statement of Organization. COPP-2023-CFP-010 and COPP-2023-CFP-001. While those decisions primarily focus on keeping officer and treasurer information updated, it is equally important that voters are able to ascertain what issues and candidates a committee is supporting.

In the current political climate, it is imperative that voters are able to ascertain which candidates are supported or opposed by a political party. Designation as a Republican or Democratic political party committee does not always adequately describe the candidates or issues supported or opposed.

As a political party committee, Montana Young Republicans may state something as simple as “supporting Republican candidates” as their purpose, if they are “supporting the entire ticket” of the Republican party. ARM 44.11.201(1)(f). However, in the event they make expenditures supporting or opposing specific candidates (Republican or otherwise), or ballot issues, they must amend their purpose to include those candidates or ballot issues in accordance with ARM 44.11.303(2) which requires a committee to update their purpose within 5 days of making an expenditure.

While the failure to include a purpose is a technical violation of ARM 44.11.201, I find it fundamentally unfair to treat an additional violation found during the complaint investigation process differently than one found during a routine inspection. *Zephyr*, 16. Consequently, this particular violation will be dismissed if Montana Young Republicans acts within 5 days of the date of this decision to update the state purpose on their C-2 Statement of Organization.

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## ENFORCEMENT

The duty of the commissioner to investigate alleged violations of election law is statutorily mandated. MCA § 13-37-111. Upon a determination that sufficient evidence of election violations exists, the commissioner next determines if there are circumstances or explanations that may affect whether prosecution is justified. *Rose v. Glines*, COPP-2022-CFP-030. “The determination of whether a prosecution is justified must take into account the law and the particular factual circumstance of each case, and the prosecutor can decide not to prosecute when they in good faith believe that a prosecution is not in the best interests of the state.” *Montana Freedom Caucus v. Rep. Zephyr*, COPP-2023-CFP-010, at 26.

Previous Commissioners have determined that a failure to fully and timely file finance reports cannot be excused by oversight or found to be de minimis. *Bahr* at 3. In matters with violations other than (or in addition to) a failure to timely report, I apply four factors to determine whether prosecution is justified. Those are outlined in detail in *MTGOP v. Mullen*, COPP-2024-CFP-030 and *O’Neill v. Wilson*, COPP-2024-CFP-022. Here, because filing is mandatory and the deadlines are explicitly determined by statute, in accordance with the determination of previous commissioners, application of the factors mentioned above is neither necessary or appropriate.

Prosecution of this matter is determined to be justified and this matter will now be referred to the Yellowstone County Attorney’s Office in accordance with the provisions of MCA § 13-37-124. The County Attorney’s office is free to conduct their own investigation under MCA § 13-37-125, to request additional material from COPP, or refer the matter back to this office for potential prosecution.

Generally, in most matters decided and referred by the Commissioner, the County Attorney waives their right to prosecute and the matter is returned to the Commissioner, who may subsequently resolve the matter with a negotiated settlement. In determining an appropriate settlement, the

Commissioner will consider all the related facts and circumstances including whether or not this violation is part of a pattern of noncompliance or a singular event. If a settlement is not reached, the Commissioner will pursue the matter in Yellowstone County District Court.

Dated the 29th day of April, 2025.



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