

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

<b>KATHY LOVE</b>  <b>v.</b> <b>MONTANA REPUBLICAN PARTY</b> <b>(MTGOP)</b>	<b>COPP-2025-CFP-001</b>  <b>DISMISSAL</b>
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**COMPLAINT**

On April 16, 2025, Kathy Love of Hamilton, MT, filed a Campaign Finance and Practices (CFP) complaint against the Montana Republican Party (MTGOP). The complaint alleged that the MTGOP failed to disclose all contributions received in conjunction with a “Western Montana Roundup” event held by the party in Hamilton, MT, on March 29, 2024.

The complaint met the requirements of Admin. R. Mont. (ARM) 44.11.106, the administrative rule governing complaints, and alleged violations which fall under my jurisdiction as Commissioner of Political Practices. Therefore, I accepted it as filed and requested a response from MTGOP. MTGOP provided a timely response including supporting exhibits. The complaint and response are posted on our website, [politicalpractices.mt.gov](http://politicalpractices.mt.gov).

**ISSUES**

This dismissal addresses political committee reporting requirements, MCA §§ 13-37-225 – 229, and Federal Election Campaign Act, particularly its preemption of state election law under 11 C.F.R. 108.7

**BACKGROUND**

MTGOP held a fundraiser in Hamilton, MT, on March 29, 2024, advertised as the “Western Montana Roundup.”<sup>1</sup> The complainant asserts that this fundraiser, held at the Ravalli County Fairgrounds, was attended by

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<sup>1</sup> An email provided by the complainant also refers to this event as a Lincoln-Reagan Dinner. The fact that they occurred on the same day at the same location indicates these are almost certainly the same event.

approximately 300 people at ticket price of \$50 per person. The complaint additionally states that the organizer has “repeatedly been overheard stating that over \$17,000 was made from this event” while the MTGOP has provided a list of only 36 attendees and “claimed they only made \$5827 before expenses.” The complainant additionally states that MTGOP has not reported any “accounting of the money raised or where that money went” on MTGOP’s COPP finance reports. (Complaint, 1.)

In their response to this complaint, MTGOP states “this event constituted a fundraiser for federal funds. As such, donations and expenditures related to this event were reported in MTGOP’s FEC report in accordance with FEC rules and regulations. . .because this fundraiser was for federal funds, no state reporting requirements applied.” (Response.)

## **DISCUSSION**

Political committees in the State of Montana are required to report all contributions received and expenditures made in accordance with Montana election law outlined in MCA §§ 13-37-225 – 229. MTGOP is a recognized political party organization in the state of Montana, and as such is required to regularly file C-6 Committee Finance Reports with COPP.<sup>2</sup> However, MTGOP receives contributions and makes expenditures related to both state and federal elections occurring in Montana.

The U.S. Constitution establishes the supremacy of federal law over that of the states. U.S. Const. Art. VI, cl. 2. The Federal Election Campaign Act specifically provides that the State of Montana does not have jurisdiction over Federal election activity.

- (a) The provisions of the Federal Election Campaign Act of 1971, as amended, and rules and regulations issued thereunder, supersede and preempt any provision of State law with respect to election to Federal office.
- (b) Federal law supersedes State law concerning the—

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<sup>2</sup> <https://sosmt.gov/elections/parties/>

- (1) Organization and registration of political committees supporting Federal candidates;
- (2) Disclosure of receipts and expenditures by Federal candidates and political committees; and
- (3) Limitation on contributions and expenditures regarding Federal candidates and political committees. 11 C.F.R. 108.7

Therefore, MTGOP's election activity that relates to state races, i.e., Governor, state legislators, county commissioners, etc., is subject to Montana's campaign finance and disclosure requirements, specifically MCA Title 13, Chapter 37, part 2. Conversely, MTGOP's election activity that relates to federal races, i.e. election for U.S. President and the U.S. Congress, is subject to federal law, under the jurisdiction of the Federal Election Commission.

As previously stated, MTGOP contends that its "Western Montana Roundup" was related exclusively to federal races. All evidence provided by both the complainant and the respondent, as well as COPP's own research, supports this assertion. The complainant provided as exhibits, an advertisement sent by MTGOP for the "Western Montana Roundup" and a screen shot of a ticket purchasing portal, each stating "[t]he road to taking back our country runs through Montana, which means Republican victories will be crucial to taking back the White House and the U.S. Senate." (Complaint Exhibits, 1,2.) No evidence is provided that names, describes, or otherwise references any candidates for state office. COPP has no reason to disbelieve MTGOP's assertion that the event in question was related exclusively to federal election activity and consequently there is no requirement that related contributions and expenditures be reported to COPP. Any allegation that MTGOP failed to report this event to COPP in violation of Montana election law, is dismissed.

Finally, the complainant's concerns regarding MTGOP's finance reports seem to center around a possible discrepancy between the reported 300 attendees at \$50 a ticket, and the 36 names provided and an assertion that only \$5827 was brought in by the event, before expenses. (Complaint, 1.)

In their response, MTGOP states “it has followed all required federal reporting requirements and. . .has complied with all applicable laws.” (Response, 1.) In previous decisions, COPP has maintained that COPP has no authority “as to the veracity of [a political party committee’s] federal reporting. Indeed, that is the jurisdiction of the Federal Election Commission.” Addendum – *Luckey v. AMT*, COPP-2020-CFP-004, 3. The same applies here. If questions still remain regarding the “Western Montana Roundup” those must be directed to the Federal Election Commission.

### **CONCLUSION**

Sufficient evidence has not been provided to determine MTGOP violated Montana election law. All allegations have been considered as described above and this complaint is hereby dismissed in full.

Dated this 10th day of June, 2025.



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Chris J. Gallus  
Commissioner of Political Practices  
of the State of Montana  
P.O. Box 202401  
1209 8<sup>th</sup> Avenue  
Helena, MT 59620