



MONTANA
ADMINISTRATIVE
REGISTER



OFFICE OF THE COMMISSIONER OF POLITICAL PRACTICES

NOTICE OF PROPOSED RULEMAKING

MAR NOTICE NO. 2025-329.1

Summary

The Office of the Commissioner of Political Practices (COPP) proposes to amend ARM 44.11.223 and 44.11.227 pertaining to write-in candidates and campaign contribution limits.

No Hearing Scheduled

If the agency receives requests for a public hearing on the proposed rulemaking from either 10 percent or 25, whichever is less, of the persons directly affected by the proposed rulemaking; from the appropriate administrative rule review committee of the Legislature; from a governmental subdivision or agency; or from an association having not less than 25 members who will be directly affected, a hearing will be held at a later date. Notice of the hearing will be published in the Montana Administrative Register.

The estimated number of persons directly affected by the proposed rulemaking is 1500.

Comments

Comments may be submitted via email at cppcompliance@mt.gov or via fax at (406) 444-1643. Comments must be received by Friday, October 10, 2025, at 5:00 p.m.

Accommodations

The agency will make reasonable accommodations for persons with disabilities who wish to participate in this rulemaking process or need an alternative accessible format of this notice. Requests must be made by Thursday, October 2, 2025, at 5:00 p.m.

Contact

Scott Cook
406-444-4627
cpphelp@mt.gov
Fax: 406-444-1643

Rulemaking Actions

AMEND

The rules proposed to be amended are as follows, stricken matter interlined, new matter underlined:

44.11.223 AGGREGATE CONTRIBUTION LIMITS FOR WRITE-IN CANDIDATES

- (1) A candidate who is unsuccessful in a contested primary election, ~~but who complies with applicable statutes to qualify as a write-in candidate for the general election, must file a declaration of intent pursuant to 13-10-211, MCA~~ may not seek election to the same office as a write-in candidate in the general election.
- (2) ~~After conclusion of the primary election, t~~The write-in unsuccessful candidate must close his or her ~~primary election~~ campaign account, and follow the procedures to dispose of the funds according to ARM 44.11.701 and 44.11.702.
- (3) ~~The write-in candidate shall not use any primary election funds for his or her general write-in election campaign.~~
- (4) ~~The write-in candidate shall file a new statement of candidate and, if required, a business disclosure statement, and comply with the aggregate contribution limits for the general election.~~

Authorizing statute(s): 13-37-114, MCA

Implementing statute(s): 13-37-216, 13-37-218, 13-37-240, MCA

Reasonable Necessity Statement

The Commissioner of Political Practices (COPP) proposes amending ARM 44.11.223 to reflect prohibitions on unsuccessful primary election candidates from seeking election to the same

office in the general election adopted by the 2025 Montana Legislature via passage of House Bill 207.

44.11.227 LIMITATIONS ON INDIVIDUAL AND POLITICAL PARTY CONTRIBUTIONS TO A CANDIDATE

- (1) Pursuant to the calculation specified in 13-37-216, MCA, limits on total combined contributions by a political committee, other than a political party committee, or by an individual to candidates are as follows:
 - (a) candidates filed jointly for governor and lieutenant governor may receive no more than ~~\$1,120~~ \$1,190;
 - (b) a candidate for other statewide office may receive no more than ~~\$790~~ \$830;
 - (c) a candidate for all other public offices may receive no more than ~~\$450~~ \$470.
- (2) Pursuant to the operation specified in 13-37-216, MCA, limits on total combined contributions from political party committees to candidates are as follows:
 - (a) candidates filed jointly for governor and lieutenant governor may receive no more than ~~\$112,200~~ \$118,700;
 - (b) a candidate for other statewide offices may receive no more than ~~\$84,150~~ \$89,050;
 - (c) a candidate for Public Service Commission may receive no more than ~~\$16,850~~ \$17,800;
 - (d) a candidate for senate may receive no more than ~~\$3,350~~ \$3,550;
 - (e) a candidate for all other public offices may receive no more than ~~\$2,250~~ \$2,350.
- (3) Pursuant to 13-37-216, MCA, all contributions must be included in computing these limitation totals, except the personal services exemption found in ARM 44.11.401.
- (4) A candidate may make unlimited contributions to his or her own campaign, but shall report and disclose each contribution and expenditure according to these rules.

Authorizing statute(s): 13-37-114, MCA

Implementing statute(s): 13-37-216, MCA

Reasonable Necessity Statement

COPP proposes amending ARM 44.11.227 to reflect adjustments made to Montana's campaign contribution limits the agency is required to calculate under 13-37-216(3), MCA.

Small Business Impact

The proposed rule changes will impact candidates seeking election to public office and contributors to their campaigns. COPP has determined that there will not be a direct probable significant impact to small businesses.

Bill Sponsor Notification

The bill sponsor contact requirements do not apply.

Interested Persons

COPP maintains a list of interested persons who wish to receive notices of rulemaking actions proposed by this agency. Persons who wish to have their name added to the list shall make a written request that includes the name and e-mail address of the person wishing to receive notices and specifies for which program the person wishes to receive notices. Notices will be sent by e-mail unless a mailing preference is noted in the request. Written requests may be sent to COPP via email.

Rule Reviewer

Scott Cook

Approval

Chris J. Gallus, Commissioner