

OFFICE OF THE COMMISSIONER OF POLITICAL PRACTICES

NOTICE OF PROPOSED RULEMAKING

MAR NOTICE NO. 2025-519.1

Summary

The Office of the Commissioner of Political Practices (COPP) proposes to adopt a new rule, ARM 44.11.410, pertaining to the reporting of campaign contributions from limited liability companies and partnerships.

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 500.

Comments

Comments may be submitted via email at cpcocompliance@mt.gov or via fax at (406) 444-1643. Comments must be received by Friday, January 2, 2026, 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 Friday, December 19, 2025, at 5:00 p.m.

Contact

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cppcompliance@mt.gov

General Reasonable Necessity Statement

COPP proposes the adoption of a new rule, ARM 44.11.410, to clarify how candidates are to report contributions received from limited liability companies or partnerships, pursuant to the 2025 Montana Legislature's passage and approval of House Bill 759.

Rulemaking Actions

ADOPT

The rule proposed to be adopted is as follows:

NEW RULE 1 (44.11.410) LIMITED LIABILITY COMPANY AND PARTNERSHIP CONTRIBUTIONS TO CANDIDATES - LIMITATIONS AND REPORTING

- (1) For the purposes of this rule, "candidate" and "contribution" have the meaning as defined in 13-1-101, MCA.
- (2) Any contribution received by a candidate from a limited liability company or partnership shall be reported using the name of the individual member or partner making the contribution. A contribution made by more than one member or partner shall be reported as a contribution from each individual member or partner in proportion to that member's or partner's percentage of ownership or other percentage agreed upon by the members. It is not necessary to report the name of the limited liability company or partnership.
- (3) An individual making a contribution through a limited liability company or partnership is subject to the individual contribution limits established in 13-37-216(1), MCA, and ARM 44.11.227. Contributions made through a limited liability company or partnership are aggregated with all other contributions made by that individual in determining compliance with contribution limits.
- (4) Upon receiving a contribution from a limited liability company or partnership, the candidate's campaign shall obtain a written tax classification and allocation attestation which states:

- (a) the tax classification of the limited liability company or partnership;
 - (b) the name of each individual partner or member responsible for making the contribution and the amount of the contribution attributable to each individual partner or member.
 - (c) each individual responsible for making the contribution has agreed to the contribution and is aware of the applicable contribution limits.
- (5) COPP shall provide standardized forms for the tax classification and allocation attestation. A campaign may use forms provided by COPP or substantially similar forms which include all information required under (4). All attestations must be included in the campaign treasurer's recordkeeping obligations pursuant to 13-37-207 and 13-37-208, MCA.

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

Implementing statute(s): [House Bill 759]

Small Business Impact

The proposed rule changes will impact candidates seeking election to public office and certain limited liability companies and partnerships whose members make campaign contributions to candidates. COPP has determined that there will not be a direct probable significant impact to small businesses.

Bill Sponsor Notification

COPP contacted HB 759 sponsor Representative Randyn Gregg via email prior to submission of this proposal notice and offered a timeline for submittal and the opportunity to comment on the proposal.

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 of Political Practices