

OFFICE OF THE COMMISSIONER OF POLITICAL PRACTICES

NOTICE OF PROPOSED RULEMAKING

MAR NOTICE NO. 2025-845.1

Summary

The Office of the Commissioner of Political Practices (COPP) proposes the adoption of a new rule, ARM 44.11.507, prohibiting foreign interference in statewide ballot issues.

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 200.

Comments

Comments may be submitted via email at cppcompliance@mt.gov or via fax at (406) 444-1643. Comments must be received by Friday, January 16, 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, January 2, 2026, at 5:00 p.m.

Contact

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cppcompliance@mt.gov

General Reasonable Necessity Statement

COPP proposes to adopt a new rule, ARM 44.11.507, to facilitate the enforcement of House Bill 818 passed by the 2025 Montana Legislature. The proposed new rule clarifies prohibitions and the record keeping duties of ballot issue committee treasurers.

Rulemaking Actions

ADOPT

The rule proposed to be adopted is as follows:

NEW RULE 1 (44.11.507) PROHIBITION ON FOREIGN NATIONAL INTERFERENCE IN STATEWIDE BALLOT ISSUES

- (1) For purposes of this rule, “foreign national” has the meaning as defined in 13-37-501, MCA. The term “ballot issue” has the meaning as defined in 13-1-101, MCA.
- (2) A foreign national is prohibited from making contributions or expenditures in connection with any statewide ballot issue whether the foreign national acts directly or indirectly through an intermediary. An intermediary includes any individual or entity.
- (3) It is unlawful for any committee or individual to knowingly solicit or facilitate a foreign national’s financial involvement in a statewide ballot issue campaign. Any contribution that originated from a foreign national source, whether received directly or via an intermediary, may not be used by a committee or individual in connection with any statewide ballot issue.
- (4) The donor affirmation required pursuant to [HB 818] must be in writing and include an affirmation that the donor does not accept contributions from foreign nationals; or segregates contributions received from foreign nationals to prevent those funds from being used in statewide ballot issues.
- (5) COPP shall provide standardized forms for donor affirmations. Committee treasurers may use COPP-provided forms or substantially similar forms which include all information required by [HB 818] and (4) of this rule.

- (6) Donor affirmations need not be filed with the committee's periodic finance reports but are part of the committee treasurer's record keeping obligations required by 13-37-207 and 13-37-208, MCA.

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

Implementing statute(s): [House Bill 818]

Small Business Impact

The proposed new rule will impact foreign nationals, including small businesses owned by foreign nationals by prohibiting foreign national interference in statewide ballot issues. COPP has determined there will not be a direct significant impact to small businesses.

Bill Sponsor Notification

The bill sponsor was notified on November 5, 2025, via email.

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. Such written request may be sent to COPP via email.

Rule Reviewer

Scott Cook

Approval

Chris J. Gallus, Commissioner of Political Practices