

BEFORE THE COMMISSIONER OF  
POLITICAL PRACTICES OF THE STATE OF MONTANA

Chris J. Gallus, Commissioner of Political Practices  To: Ellis Murdock	ORDER OF NONCOMPLIANCE
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Montana law grants the Commissioner of Political Practices the authority to issue orders of noncompliance. MCA § 13-37-115. The process for issuing orders of noncompliance is prescribed by MCA § 13-37-121 (2023). Pursuant to these statutes this is an Order of Noncompliance issued for the reasons enumerated below:

1. Ellis Murdock of Hardin, MT, filed with COPP as a candidate for County Commissioner in Big Horn County on March 6, 2024.
2. On his C-1 Statement of Candidate, candidate Murdock indicated that his campaign anticipates receiving contributions or making expenditures totaling more than \$500.
3. All local candidates which plan to spend or receive more than \$500 are required by law to file periodic C-5 campaign finance reports in accordance with the COPP reporting calendar. ARM 44.11.304.
4. C-5 campaign finance reports are due according to the COPP calendar, with the first report for the 2024 election cycle due on March 20, 2024, for the period of January 1 through March 15, 2024, and due monthly on the 20<sup>th</sup> of each month thereafter. ARM 44.11.304, MCA § 13-37-226.
5. C-5 campaign finance reports must be filed electronically unless the Commissioner grants a waiver of this requirement based on good cause submitted in a written application to the Commissioner. MCA § 13-37-225.
6. Candidate Murdock has failed to electronically file two C-5 finance reports with COPP as statutorily mandated by MCA §§ 13-37-225 and 226.

7. COPP staff has notified Mr. Murdock of this filing deficiency through emails and a voicemail provided to the contact information provided by Mr. Murdock on his C-1 Statement of Candidate.
8. Despite ample opportunity to resolve this deficiency through corrective action, the availability of COPP compliance staff to provide assistance, and clear directives contained in a notice that this Order of Noncompliance was forthcoming, candidate Nelson has failed to electronically file C-5 candidate finance reports due on March 20, 2024, for the reporting period of January 1 through March 15, 2024, and April 20, 2024 for the reporting period of March 16 through April 15, 2024.

IT IS ORDERED that Ellis Murdock is declared to be in NONCOMPLIANCE with the provisions of MCA § 13-37-225 and ARM 44.11.302. This is your immediate and final notice of the noncompliance as contemplated in MCA § 13-37-121(3), which you must fully correct within five days of receiving this Order. Pursuant to this Order the item or items that require your immediate attention include:

- Electronically filing a C-5 Periodic report for the reporting period of January 1 through March 15, 2024.
- Electronically filing a C-5 periodic report for the reporting period of March 16 through April 15, 2024.

Failure to address these matters within the time provided will result in immediate referral of this matter to the Big Horn County Attorney. The Big Horn County Attorney, or the Commissioner of Political Practices, may then file a civil action under MCA § 13-37-128 by following the process provided for in MCA §§ 13-37-121, 124 and 128.

In a civil action, the Commissioner or the Big Horn County Attorney may pursue the full statutory remedy of up to \$500 or three times the amount of any unlawful contributions or expenditures, whichever is greater. MCA § 13-37-128.

At his discretion, the Commissioner may negotiate a settlement rather than pursue a formal civil action. In the event of a settlement, the Commissioner will impose minimum penalties of \$50 for each delinquent report, or if contributions or expenditures have gone unreported, 10% of three times the amount allowed by statute, whichever is greater.

Therefore, the minimum fine resulting from noncompliance with this Order is \$100.

If Mr. Nelson is aggrieved by the issuance of this Order of Noncompliance, he may seek judicial review in District Court pursuant to MCA § 13-37-122.

DATED this 25<sup>th</sup> day of April, 2024.



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