Committee Campaign Finance Responsibilities

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Office of Political Practices

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COMMISSIONER

Training outline

1. Committee's Requirements- Overview
2. Committee Forms & Reporting Dates
3. Campaign Finance Reporting (Contributions, Expenditures, & Debts)
4. Campaign Finance Review Process
5. Tips and Resources

cpphelp@mt.gov

1.Committee's Requirements-Overview

Committee's Requirements- Overview

- ***It is the responsibility and obligation of a political committee to understand and comply with all Montana campaign finance laws!*** While COPP staff is available to provide information to political committees, the committee itself is ultimately responsible for ensuring compliance with all campaign finance and reporting requirements

- Committees should familiarize themselves with Montana's campaign finance reporting laws, specifically Montana Code Annotated (MCA) Title 13, Chapter 37 (available here). Committees should also review Administrative Rules of Montana (ARM) Chapter 44.11 (available here)

2. Committee Forms and Reporting Dates

Statement of Organization (Form C-2)

- All political committees file form C-2, the Statement of Organization

- The Statement of Organization must be filed electronically, utilizing the Campaign Electronic Reporting System (CERS)

Statement of Organization (Form C-2)

- The Statement of Organization must include:
  - The committee's name and contact information (phone <u>AND</u> email);
  - The committee Treasurer's name and contact information (phone <u>AND</u> email);
  - The name and address of the committee depository; and
  - The name of any candidate/s or ballot issues supported or opposed by the committee

Statement of Organization (Form C-2)

- ***Update the Statement of Organization anytime a change is made!***
  - Committee phone number/email address changes, new Treasurer appointed, additional candidate/s or ballot issue/s supported, etc.

Committee Reporting Dates

1. Reporting Dates for Odd Year Election (Municipal)

2. Reporting Dates for Even Year Election

3. Reporting Dates for Special Elections (including school elections)

○ Full Reporting Calendar for the 2022 election cycle available online at https://politicalpractices.mt.gov/_docs/2022-Calendars/Even-year-election-calendar--candidates.pdf

3. Campaign Finance Reporting

Campaign Finance Reporting

Political committees have a role in promoting confidence, transparency, and accountability in Montana's elections. This occurs, in part, through campaign finance reporting of:

1. Contributions received;

2. Expenditures made; and

3. Debts & Loans owed
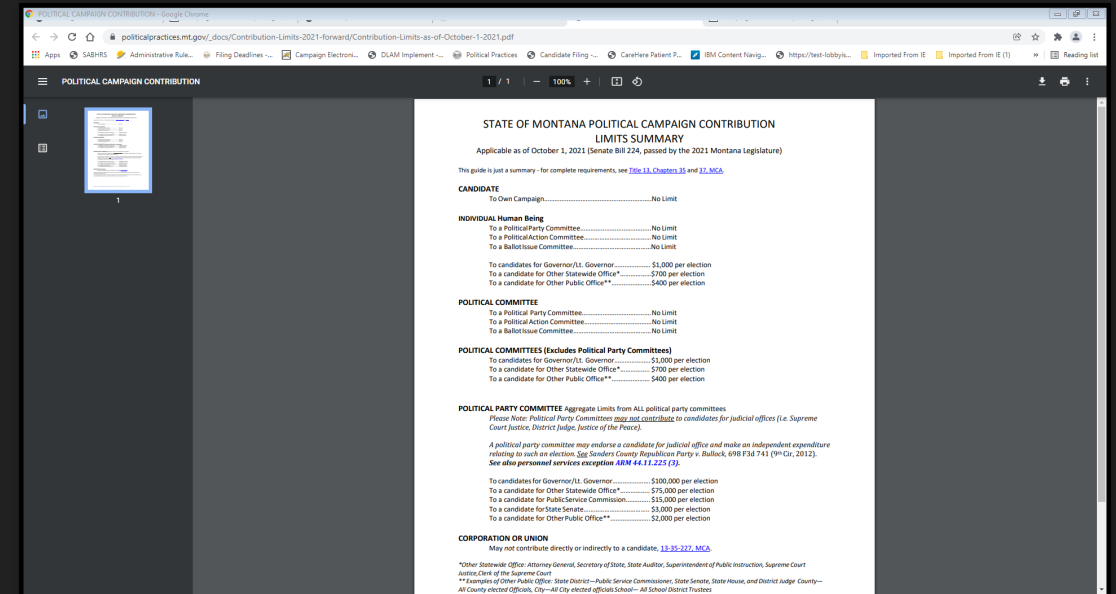
Contributions

○ By law (13-1-101(9), MCA), a contribution is defined as a "...**distribution of money or anything of value to support or oppose a candidate or ballot issue.**"

Contribution Limits

- Candidates must comply with Montana's campaign contribution limits
  - Contribution limits would apply to coordinated activity
- Aggregate contribution limits apply for political party committees
- Current limits available at https://politicalpractices.mt.gov/Home/Contribution-Limits

Contributions: Types of Contributions

1. Contributions from individuals
2. Contributions from other committees
3. Fundraisers
4. Refunds, rebates, etc.
5. Loans

Contributions: Individual

- Amount of contribution ($50 threshold)
- Identifying contributor information:
  - Election (Primary or General)
  - Name
  - Address
  - Occupation/Employer
  - Monetary or in-kind (All in-kind contributions must include a description of the specific items or services received by the campaign)
- **Anonymous contributions are illegal**
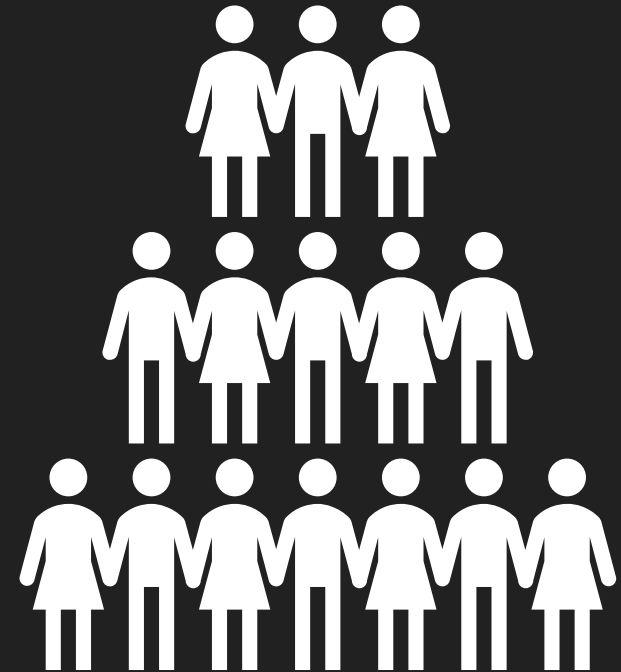
Contributions: Committee

- Amount of contribution
- Details to disclose:
  - Date
  - Election (Primary or General)
  - Committee name
  - Committee type (Political party, independent, incidental, etc.)
  - Monetary or in-kind (All in-kind contributions must include a description of the specific items or services received by the campaign)

Contributions: Fundraisers

- ***Each individual fundraising event held by the committee must be reported separately!***
- Details to include:
  - Date and location of fundraiser event
  - Event description (Raffle, pass-the-hat, banquet, silent auction, etc.)
  - Number of attendees/tickets sold
  - Total amount raised (<$50 contributions only)

Contributions: Fundraisers

○ Contributions of less than $50 from a fundraiser can be reported together, as a lump sum

○ Any individual contribution of $50 or more must be reported under the "Contributions" tab's "Individual" option)

Contributions: Fundraisers

○ ***__Anonymous contributions are illegal!!__*** Committee must keep records of <u>all</u> contributions received at a fundraiser event, regardless of amount

○ The source of contributions from a fundraiser must always be recorded, even if an individual's fundraising-related contribution does not meet the $50 reporting threshold. This also ensures that if an individual contributes $50 in the aggregate or more, their contributions can be correctly reported

- ○ Utilize and maintain ticket stubs for event/raffle tickets sold

- ○ Have envelopes available for pass the hat activities

- ○ Maintain list of guests for fundraising activities

Campaign Finance: Expenditures

- An expenditure is a "purchase, payment, distribution, loan, advance, promise, pledge, or gift of money or anything of value…to support or oppose a candidate or a ballot issue", 13-1-101(19)(a), MCA

- Expense details to disclose:
  - Date and full amount of the expenditure
  - Description of expense – Ad agency, contractor, etc. must be itemized
 - *Independent expenditures must name the candidate/s or ballot issue/s the expenditure was intended to benefit!*

Expenditures: Attribution for Paid Communications - Committee

PAID FOR BY

- Any paid communication in support or opposition to a candidate or ballot issue must include "**Paid for by**" information on the material

- The attribution must clearly identify the name of the committee financing the material, committee address, and name of the committee Treasurer or other named officer
  - For example: Paid for by Montanans for Coffee, 1 Coffee Bean Place, Helena, MT 69601. J Coffee, Treasurer

- https://politicalpractices.mt.gov/Education-and-Resources/Attribution-Information

Campaign Finance: Debts and Loans

- Loan= Money loaned to the committee to be paid back

- Debt= Obligation owed by the committee for provision of goods/services
  - Debts must be recorded with the same level of disclosure as expenditures
  - The debt must occur within the campaign finance report reporting period. If the exact amount is unknown, the estimated amount must be reported
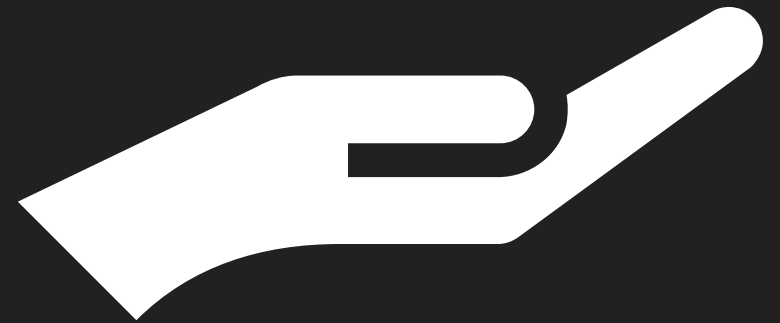
4. Campaign Finance Review Process

Campaign Finance Review Process

- **First, the committee files a campaign finance report**
  - → COPP Compliance Specialists review the report and send the committee Treasurer an Inspection Report identifying any issues that require additional attention or detail;
  - → Committee to make requested changes
- **Same process for all subsequent finance reports filed by committee**

5. Tips and Resources

Tips

1. Add campaign finance reporting periods and date/s to your calendar with reminders (Google calendar, cell phone, kitchen calendar, whatever helps remind you)!;

2. Don't wait until the last minute to complete your campaign finance reports! Update reports regularly throughout the reporting period;

3. Read your inspection reports and make corrections as suggested

4. Contact the COPP for support and with questions!

RESOURCES

2022 Training

Specialized training will be announced throughout the year

Save the Date - COPP 2022
Campaign Finance Reporting Training

February 22 - ZOOM - School District Candidates Only

March 1 - ZOOM only - Candidates 10AM-Noon / PM Committees 1PM-3PM

March 9 - In Billings + Zoom 1PM-3PM (Candidates)

March 10 - In Bozeman + Zoom 2PM - 4PM (Candidates)

March 22 - In Helena + Zoom 10AM-Noon Candidates / 1PM-3PM Committees

April 12 - In Missoula + Zoom 1PM - 3PM (Candidates)

April 13 - In Great Falls + Zoom 1PM - 3PM (Candidates)

Stay tuned for in-person locations and further info
politicalpractices.mt.gov

Questions? Contact the COPP!
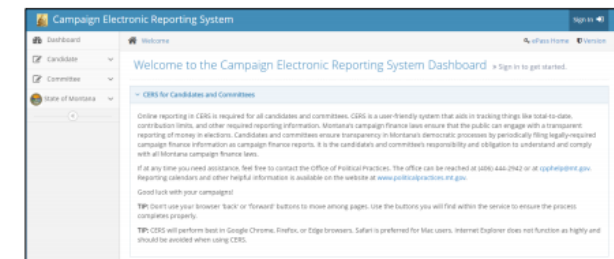
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