

BEFORE THE COMMISSIONER OF POLITICAL PRACTICES (COPP)

HELENA LOVICK v. MARK WINTERS (Montana Senate District No. 11 candidate)	COPP-2026-CFP-002 DECLARATION OF MERIT OF COMPLAINT RESOLUTION AND DISMISSAL OF COMPLAINT BY PROMPT REMEDIAL ACTION BY THE RESPONSIBLE PARTY
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COMPLAINT

On April 13, 2026, Helena Lovick of Great Falls, MT filed a Campaign Finance and Practices (CFP) Complaint against Montana Senate District 11 candidate Mark Winters, of Black Eagle. The complaint alleged that election materials financed by candidate Winters failed to include the full ‘paid for by’ attribution statement as required.

ISSUES

Attribution on campaign communications, Montana Code Annotated (MCA) § 13-35-225.

FINDING OF FACTS

The facts necessary for a determination in this matter are as follows:

Finding of Fact No. 1: Mark Winters filed a C-1 Statement of Candidate with COPP as a Democratic candidate for election to the Montana Senate, District 11 with COPP on March 6, 2026. This C-1 Statement of Candidate lists the campaign address as being PO Box 19 in Black Eagle, MT. (Commissioner’s Records.)

Finding of Fact No. 2: On April 13, 2026, COPP received the original signed and notarized copy of this complaint. In reviewing the complaint, Commissioner Gallus determined it was merited. Both the billboard and campaign yard sign materials referenced in the complaint supporting candidate Winters included an attribution statement saying only “paid for by Mark Winters”. The complaint also indicated that candidate Winters’ campaign website, montaanwinters.com, also failed to contain the entire attribution statement; COPP review confirmed that the website also contained only the “paid for by Mark Winters” attribution statement. (Commissioner’s Records.)

Finding of Fact No. 3: On April 13, 2026, via both email message and telephone call, COPP notified candidate Winters of this formal attribution complaint, providing both a copy of the complaint and written correspondence from Commissioner Gallus explaining that it was merited. The Commissioner’s written correspondence notified candidate Winters that “You will need to add appropriate attribution to all materials lacking this, and provide photographic evidence or related documentation to COPP showing this addition has been made. COPP would request the full relevant attribution statement and specific information relating to the quantity distributed and

date or date/s of distribution for any material previously distributed without the required attribution statement” within 2 business days. (Commissioner’s Records.)

Finding of Fact No. 4: Later on April 13, 2026, candidate Winters called COPP via telephone to further discuss this complaint. During this discussion candidate Winters indicated that he would immediately work to add his campaign address to the existing attribution statement included on the campaign yard sign materials and the campaign website. He also indicated that he would contact the billboard company about adding his campaign address to the attributions statement included on the campaign billboard.

Finding of Fact No. 5: Via email messages sent to COPP on the afternoon of April 13, 2026, candidate Winters confirmed that the campaign website and yard signs noted in this complaint (the total number being 7) had been updated to include an attribution statement of “Paid for by Mark Waters, PO Box 19, Black Eagle, MT, 59414”. He also provided a copy of email correspondence between the campaign and Lamar Advertising- owner of the billboard on which his campaign advertisement was placed- indicating that the campaign was working with that vendor to fully attribute the billboard advertisement and noting that the “PO Box 19, Black Eagle, MT, 59414” was the campaign address to be added.

DISCUSSION

Under Montana law “all election communications, electioneering communications, and independent expenditures must clearly and conspicuously include the attribution "paid for by" followed by the name and address of the person who made or financed the expenditure for the communication” MCA § 13-35-225(1). For election communications financed by candidates/candidate campaigns such as Mr. Winters’ SD 11 candidacy, the attribution statement must include the words “paid for by” followed by “the name and address of the candidate or the candidate’s campaign”, MCA § 13-35-225(1)(a).

Montana law requires an accelerated review (“as soon as practicable”) of a campaign practice complaint alleging an attribution violation, MCA § 13-35-225(5). In this matter, COPP immediately reviewed the complaint and determined the allegations were merited, as the relevant material financed by Mr. Winters’ campaign did not include all statutorily required components of the attribution statement (FOF No. 2). Consequently, agency staff contacted the campaign “as soon as practicable” to provide notification of the attribution deficiencies and work with Mr. Winters to explain attribution requirements (FOF Nos. 3 and 4). Mr. Winters contacted COPP immediately after receipt of this complaint to accept responsibility for the attribution omissions and provide notice that the required address information had been added or was being added as required (FOF Nos. 4, 5).

The law governing complaints of failure to properly attribute political communications provides precise directions to the Commissioner:

1. The Commissioner is to immediately assess the merits of the attribution complaint,

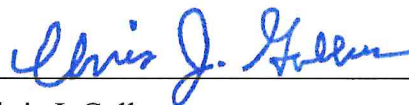
MCA § 13-35-225(5). The Commissioner found merit to the attribution complaint and hereby memorializes that finding.

2. The Commissioner shall notify the responding political committee of the merit finding, requiring them to bring the material into compliance, MCA § 13-35-225(6)(a). In this matter, COPP notified Mr. Winters of the attribution deficiency via email and telephone correspondence on April 13, 2026.
3. The candidate or political committee financing the unattributed material is provided 2 business days to bring the material into attribution compliance, MCA § 13-35-225(6)(a)(i). Mr. Winters provided COPP notice that the material relevant to this matter had been brought into compliance via addition of the full required attribution statement on April 13, 2026 or was being brought into compliance with the relevant attribution information being provided to COPP in the interim (the billboard advertisement).

Under Montana law, a candidate with an attribution deficiency is relieved of a campaign practice violation, provided they promptly carry out the attribution correction. Based on the present factors Mr. Winters has carried out appropriate attribution corrections and is relieved of a campaign practice violation under MCA § 13-35-225(6).

Normally, the Commissioner first provides decisions to the parties and then the public on the following day. The Legislature, however, has set very tight timelines on this sort of attribution complaint. Accordingly, the Commissioner provides this decision to the parties and public on the day issued.

DATED this 14th day of April, 2026.



Chris J. Gallus
Commissioner of Political Practices
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