

**BEFORE THE COMMISSIONER OF POLITICAL PRACTICES (COPP)**

<b>SEAN LOGAN</b>  <b>v.</b>  <b>ANDY SHIRTLIFF</b>	<b>COPP-2025-CFP-010</b>  <b>DISMISSAL</b>
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**COMPLAINT**

On November 3, 2025, Sean Logan of Helena, MT filed a campaign practices complaint against Andy Shirliff, also of Helena. The complaint alleged that election materials financed by Mr. Shirliff or his campaign failed to include the required ‘paid for by’ attribution statement and failed to properly or fully disclose an in-kind campaign contribution received relating to a campaign video advertisement.

The complaint met the requirements of Admin. R. Mont. (ARM) 44.11.106, the administrative rule governing complaints, and alleged violations which fall under my jurisdiction as Commissioner of Political Practices. Therefore, I accepted it as filed and requested a response from Mr. Shirliff. Mr. Shirliff provided a timely response via email. The complaint and response are posted on COPP’s website, [politicalpractices.mt.gov](http://politicalpractices.mt.gov).

**ISSUES**

“Paid for by” attribution on campaign communications, Montana Code Annotated (MCA) § 13-35-225; contributions and reporting, MCA §§ 13-37-225 through 229, specifically the valuation of expenditures and in-kind contributions.

**BACKGROUND**

On June 10, 2025, Mr. Shirliff filed a C-1A Statement of Candidate with COPP, as a candidate seeking election to the office of Mayor in the City of Helena’s November 2, 2025, municipal general election. In addition to other

campaign finance reports, Mr. Shirtliff filed a C-7 Notice of Pre-Election Contributions dated August 22, 2025, through August 24, 2025. This C-7 report disclosed the receipt of one \$450.00 in-kind contribution from individual contributor John Nilles, listed as the Owner of Big Sky Production Services in Missoula, with an in-kind description of “Production of Campaign Ad.” (COPP Records.)

Mr. Shirtliff filed a C-5 periodic campaign finance report for August 15 through September 15, 2025, which included expenditures paid to Aspen Cox with a description of “sound, lighting and travel expenses for political ad.” On another periodic C-5 campaign finance report dated September 16, 2025, through October 14, 2025, Mr. Shirtliff reported expenditures made to campaign manager Nathan Kosted described as either “campaign management and consulting” or “campaign management and advising.” (COPP records.)

## **DISCUSSION**

### **I. “Paid for by” attribution**

The complaint first asserts that Mr. Shirtliff failed to include the required attribution information on “multiple Shirtliff campaign signs” and “multiple Shirtliff campaign texts.” The complainant supports this assertion with photos of several campaign signs and screenshots of text messages without the required attribution statements. (Complaint.)

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 a candidate/candidate’s campaign, the attribution statement must include the words “paid for by” followed by “the name and the address of the candidate or the candidate's campaign.” MCA § 13-35-225(1)(a).

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

1. The Commissioner is to immediately “as soon as practicable” assess the merits of the attribution complaint. MCA § 13-35-225(5).
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).
3. The individual or campaign financing the unattributed material is provided 24 hours to bring the material into compliance. MCA § 13-35-225(6)(a)(ii).

Here, COPP staff immediately reviewed the complaint and determined the allegations were merited, as the relevant material supported Mr. Shirtliff’s candidacy but did not appear to include the required attribution statement. Consequently, agency staff reached out to Mr. Shirtliff via telephone and email to provide notification of the attribution deficiencies. Mr. Shirtliff contacted COPP the next day to accept responsibility for the unattributed material and show that attribution had been added to material where possible and to provide the relevant attribution statement for material that had already been distributed.

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

## **II. Valuation of in-kind contribution limits**

The submitted complaint next alleges the reported \$450 in-kind contribution received from John Nilles, owner of Big Sky Production Services relating to a campaign video advertisement was reported “below market value.” (Complaint.)

In his written response, Mr. Shirliff asserts that all campaign contributions and expenditures relating to the campaign advertisement in question were properly and fully reported. He also provides documentation to defend the claim that \$450 was the actual cost of the services provided by John Nilles or Big Sky Production Service. Mr. Shirliff first states that campaign staff was used in lieu of Big Sky Production Services employees where possible “[t]o minimize cost.” Mr. Shirliff further reports his campaign manager provided “production assistance, limited lighting support, and teleprompter operation.” To support his assertions, Mr. Shirliff has provided specific documentation, including an August 22, 2025 invoice received by the campaign from Big Sky Production Services in the amount of \$450.00 for “Video Production” (provided personally as an in-kind contribution by owner John Nilles) and an August 15, 2025 invoice provided by employee Aspen Cox in the amount of \$371.74 owed to Cox for their work on the advertisement. (Response.)

As evidence to support the “below market value” allegation, Mr. Logan includes correspondence between his campaign and Big Sky Production Services that quotes proposed 30 and 60 second campaign ads to be filmed in Butte at “between \$2,000-\$4,000, depending on a number of factors.” (Complaint.)

While the proposed quote provided by Mr. Logan is interesting, it would be inappropriate for COPP to utilize this quote exclusively to determine the applicable “fair market value” of Mr. Shirliff’s actual campaign advertisement. Big Sky Production Services’ notice to Mr. Logan that the price of his own proposed campaign advertisement could differ based on specific details is important to note. Indeed, many factors can impact the “fair market value” attributable to campaign activity. Such factors include: the complexity or scope of work to be performed by the vendor; the quantity or number of items to be produced or distributed; and proximity to the relevant election. It would not be at all unusual for Mr. Logan’s proposed campaign advertisements to have a

different “fair market value” from Mr. Shirtliff’s actual campaign advertisement, even if both utilized Big Sky Production Services.

The complainant here has not provided COPP with any evidence to suggest Mr. Shirtliff did not in fact reduce the “fair market value” of his campaign advertisement by utilizing paid campaign staff to handle certain aspects of the filming and production which would otherwise require use of, and payment to, Big Sky Production Services employees, nor that the company provided him any goods or services whose “fair market value” exceeded what was reported.

### **III. Detailing expenditures**

The complainant’s allegations have been addressed and decided above. However, “Montana law also permits COPP to ascertain whether other violations exist.” *MFC v. Zephyr*, COPP-2023-CFP-010, 2. Here, while Mr. Shirtliff reported all expenditures related to the campaign video, his failure to include details of expenditures to his campaign manager may have contributed to any appearance the campaign ad was not fully disclosed.

MCA § 13-37-229(2)(b) mandates “[r]eports of expenditures made to a consultant, advertising agency, polling firm, or other person that performs services for or on behalf of a candidate, political committee, or joint fundraising committee must be itemized and described in sufficient detail to disclose the specific services performed by the entity to which payment or reimbursement was made.”

Here, Mr. Shirtliff describes payments to campaign manager Nathan Kosted as “campaign management and consulting – September payment” and “campaign management and advising – October.” No interested party reviewing Mr. Shirtliff’s campaign finance reports would be able to determine that campaign manager Kosted had handled and been directly compensated for “production assistance, limited lighting support, and teleprompter operation” of the relevant campaign advertisement, or any additional specific duties.

As I determined in *Zephyr*, it is fundamentally unfair that a candidate is treated differently when a violation is revealed in the course of a complaint

investigation than if a violation is found during the routine inspection of reports. *Zephyr* at 26. If COPP had found this particular deficiency in the course of a routine inspection, this matter would have been solved by providing notice to the respondent and a potential Order of Noncompliance if the respondent did not comply.

Under most circumstances, in an effort to provide maximum transparency to Montana voters, I require the candidate to amend the applicable reports to include relevant descriptions of payments to any consultants. This campaign is now closed and reopening to amend this detail would do little to increase transparency to Montanans. Consequently, in accordance with the discretionary authority provided by MCA § 13-37-124, I find prosecution for this violation is not justified and no further action is required.<sup>1</sup>

### **CONCLUSION**

Mr. Shirliff has fully complied with the statutory process to remedy the lack of “paid for by” attribution on his election materials. Sufficient evidence has not been found to determine Mr. Shirliff violated other Montana election laws. All allegations have been considered as described above and are hereby dismissed in full.

Dated this 16<sup>th</sup> day of April, 2026.



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<sup>1</sup> For a full discussion applying the Commissioner’s discretion to determine if prosecution is justified, See *MTGOP v. Alke*, COPP-2023-CFP-018 at 10-14.