

Commissioner of Political Practices  
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Post Office Box 202401  
Helena, MT 59620-2401  
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COMMISSIONER OF POLITICAL PRACTICES

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SIGNED/NOTARIZED

### Campaign Finance and Practices

### Complaint Form (08/17)

Type or print in ink all information on this form except for verification signature

#### Person bringing complaint (Complainant):

Complete Name James W. Kephart

Complete Mailing Address 927 West Mercury St.  
Butte, MT 59701

Phone Numbers: Work 406-782-2052 Home 406-593-0641

#### Person or organization against whom complaint is brought (Respondent):

Complete Name Faith Scow, Individually and For/as Chair

Complete Mailing Address BSB Democratic Central Committee  
1812 A ST, Butte, MT 59701

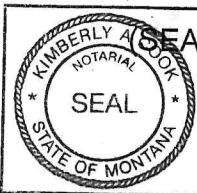
Phone Numbers: Work \_\_\_\_\_ Home 406-465-7423

**Please complete the second page of this form and describe in detail the facts of the alleged violation.**

#### Verification by oath or affirmation

State of Montana, County of Silver Bow

I, James W. Kephart, Kimberly A Cook, being duly sworn, state that the information in this Complaint is complete, true, and correct, to the best of my knowledge and belief.



KIMBERLY A COOK  
NOTARY PUBLIC for the  
State of Montana  
Residing at Butte, Montana  
My Commission Expires  
March 09, 2027

[Signature]

Signature of Complainant

Subscribed and sworn to before me this 13<sup>th</sup> day of March, 2023.

Kimberly A Cook  
Notary Public

My Commission Expires:

Statement of facts:

Describe in detail the alleged violation(s) and cite the statute or statutes you believe have been violated. Please attach copies of documentary evidence to support the facts alleged in your statement.

If the space provided below is insufficient, you may attach additional pages as necessary.

This Complaint is on gross failure/  
refusal to file ANY financial reports  
for years, and then filing an obviously  
defective + deceptive report & recant  
filed (end 2022) for the period of  
11/25/18 - 4/23/20.

As such it is also against BSB  
Democratic Central Committee AND  
its current treasurer Ashley Johnson  
(and Faith Scow as former treasurer).

BSB DCC address is  
P.O. Box 4744  
Butte, MT 59701

Facts/History  
see Attached

Complaints must be:

- signed
- notarized
- delivered in person or by mail.

1-On Oct. 31, 2022, Faith Scow filed a COPP complaint against me for failure to file/late file on my last 2 campaign finance reports before the November 2022 election (for MT House 74).

2-Although my campaign was small (under \$3K) and mostly my own money, this was a “per se” offense under Montana law, especially MCA 13-37-226.

(N.B.-Complainant has pled guilty and his tentative fine agreement is pending the Commissioner’s final decision.)

3-In the wake of this filing by Ms. Scow, Complainant became aware of several important facts he now puts before the Commissioner in this complaint (and one more) .

4-First and foremost, Complainant found out that Ms. Scow was NOT an ordinary citizen but in fact is the CHAIR of BSB Democratic Central Committee. [She was also its Treasurer for a time.]

5-Second, Complainant discovered that Ms. Scow is a highly trained and seasoned EXPERT on MT Campaign finance laws (esp. REPORTING).

[Indeed, It is Complainant’s well-reasoned and considered opinion that Ms. Scow is almost certainly one of the top 3-5 experts in the state on compliance with Montana’s financial disclosure laws for candidates AND for political committees like BSBDC. These of course are nearly identical for candidates and political committees DURING election cycles, plus MORE required of political committees between election cycles.]

5-This huge expertise & experience includes but is not limited to:

- a) Studying these laws at Carroll College (if not getting her degree in same).
- b) Interning for Sen. Jon Tester and Montanans for Bullock.[BOTH subject to the laws she had JUST studied at Carroll.]
- c) Project organizer for MT Federation of Public Employees
- d) The aforementioned “CHAIR” & “TREASURER” for BSBDC

6-Geatest of all, however, is Ms. Scow’s work as \*\*\*\*“FINANCE COORDINATOR” FOR MT DEMOCRATIC LEGISLATIVE CAMPAIGN COMMITTEE.\*\*\* Obviously, in her one year plus on this, Ms. Scow HAD TO HAVE HANDLED/OVERSEEN HUGE QUANTITIES OF CAMPAIGN FINANCE REPORTS FOR LEGISLATIVE CANDIDATES.

7-Sometime in late November, Complainant was utterly and completely SHOCKED to learn that the BSBDC in general –and Ms. Scow in particular—HAD NOT FILED THEIR MANDATORY FINANCE REPORTS SINCE THE MONTHLY REPORT FOR LATE OCTOBER-to-LATE NOVEMBER.... OF 2018!!!!!!

8-A cursory (and obviously false) report was filed (grossly late) ON DECEMBER 19, 2022.... purportedly for the period of 11/25/18-4/25/20.

9-\*\*\*THERE CONTINUES TO BE NO REPORT WHATSOEVER FOR ANY PERIOD (AS MANDATED BY LAW) AFTER 4/25/20-PRESENT.

10-Complainant (UNLIKE MS. SCOW) is NOT at all conversant (much less expert) in MT Campaign Finance reporting requirements.

11-Nevertheless, even Complainant can see that detailed finance reports by a political committee MUST be done QUARTERLY under MCA 13-37-226 (2) (a)...and MONTHLY during election years under MCA 13-37-226 (2) (b)...THIS WAS NEVER DONE.

12-On a related note , under MCA 13-27-226 (8) (b) a political committee "...participates in an election by receiving a(ny) CONTRIBUTION or making an(y) EXPENDITURE." [emph. added.]

13-Under MCA 13-37-228 clearly states that:" ...reports MUST BE FILED ...even though no contributions or expenditures may have been received or made..." [emph. Added]

14-MCA 13-37-229 sets forth TWO AND A HALF PAGES OF DETAILED DISCLOSURE REQUIREMENTS AND SPECIFIC ITEMIZATION/DELINEATION OF MANY ITEMS THAT MUST BE DISCLOSED to COPP by a political committee.

[Complainant submits that Ms. Scow, Ms. Johnson, and BSBDC are in WOLESALE, ongoing, and continuous violation of these laws (incl. of course sections 225, 226, and 228)]

15-Complainant again points to Ms. Scow's TREMENDOUS training and experience in the very reports which WERE NOT FILED FOR YEARS. There simply can be NO "excuse" or "explanation" for the STAGGERING failure/refusal of BSBDC to make these reports FOR YEARS.

Further, as Complainant found out the hard way (on his less than 2 week failures/lateness's) FAILURE TO TIMELY FILE THE MANDATORY FINANCE REPORTS---even by 2 weeks as Complainant did---IS A SERIOUS AND "PER SE" OFFENSE BY EVEN A NOVICE LIKE COMPLAINANT...MUCH LESS BY AN EXPERT LIKE MS. SCOW.

16-Complainant also points out the FACT that the BSB Democratic Central Committee is literally the largest, most wealthy, most active Democratic Central Committee in the state.

17-Along these lines, even the most cursory review of the C-6 Summary of the BSBDC's "Committee Finance Report" (late filed on 12/19/22, purportedly for the period 11/25/18-4/25.20) shows the "Finance Report" (LATE FILED) by BSBDC (prepared by now Treasurer Johnson and reviewed/overseen by Chair/former Treasurer/SEASONED EXPERT Scow) is obviously false and ridiculous. \*\*\*

[\*\*\*Indeed, as the saying goes it does not pass the "laugh test" much less the "smell test".]

18-Putting aside the (preposterous) ONLY actual "disclosure" made IN THIS finance report (supposedly just \$1355 cash on hand-an absurd claim), the rest of the summary is even more patently false. For example:

a) FUNDRAISERS-(NONE)-Covid may have dampened BSBDC's usual ACTIVE schedule for a bit, but really...NONE AT ALL??? N.B.-They are regularly holding fundraisers at the Carpenters Hall in Uptown...SUCH AS THE BSBDC's LONG ANNUAL TRADITION OF THEIR SHILLEAGH SHINDIG FUNDRAISER EVERY ST. PATTY'S DAY WEEK (at \$25/head this event alone brings in SEVERAL THOUSAND DOLLARS).

[See attached copy of invite from BSBDC's Facebook page.]

b) INDIVIDUAL CONTRIBUTIONS (NONE)-The \$50 individual donations (equaling as little as ONE COUPLE PAID BY HUSBAND at Shilleagh annual event--much less the MANY more generous donor/attendees) at these & other BSBDC events ALSO should be recorded & disclosed under "individual contributions". THEY ARE NOT, A CLEAR VIOLATION.



- c) The costs for space at Annual Shilleagh Shindig, virtually all BSBDC monthly meetings, and many other events (incl. fundraising) are DONATED by the Carpenter's Union (owners of Carpenter's Hall---site of free space).  
These donations to BSBDC by Carpenter's union MUST be disclosed under MCA 13-37-229 [esp. 229 (1) (i).]
- d) On a related note, when Art Carney died & BSBDC voting members had to gather last fall to select/elect a substitute candidate, a bar on the east side of Butte DONATED space for the POLITICAL ONLY meeting. [Further, SOMEONE donated food if not drinks.]
- e) Further, at many gatherings & fundraisers held by BSBDC there is usually the traditional "50—50" raffle (with winner often donating their 50% to BSBDC), and often other raffles, silent auctions, etc....ALL TO RAISE FUNDS FOR BSBDC.
- f) The Carpenters Union also supplies space for KBMF radio. Though billed as a "non-profit" community radio station, it is in fact often operated for the primary benefit of Ds in BSB (and NEVER for Rs and almost never for Independents). This is an additional sub-rosa donation in kind by the union\*\*.  
[\*\*Complainant reminds the Commissioner that both his predecessor AND the MT Supreme Court ruled donations in kind like these MUST be disclosed (and reported on finance filings) in \*\*COMM'R v. ART WITTICH.]
- g) EXPENDITURES-(NONE)-Oh please...this is a blatant lie. Again, the BSBDC is the biggest & wealthiest DCC in Montana. NO EXPENDITURES??? Who the hell pays for food & drink at Shilleagh event (and others)???? WHAT DOES BSBDC DO WITH THE THOUSANDS IT RECEIVES EACH YEAR FROM SHILLEAGH SHINDIG...ALONE??
- h) EXPENDITURES-INDEPENDENT-(NONE)-Again, oh please. NONE??? Who pays for food and drink at events? Who pays for mailings, maintaining EXTENSIVE social media, misc. expenses for volunteers knocking on doors...and much, MUCH more????

19-The failure to file for years, then filing this OBVIOUS phony income & expense report is both OUTRAGEOUS, intentional, and highly illegal.

20-Complainant insists the Commissioner MUST accept this complaint and investigate thoroughly. [Complainant is working on more facts—incl. possible injection of public monies (obtained by fraud upon the public purse) into BSBDC. But publicly KNOWN thousands per year will suffice for now.

21-There simply cannot be ANY "innocent" explanation here. \*\*\*\*There MUST be something Ms. Scow & BSBDC so intensely NEED to keep quiet that first they (knowingly & grossly illegally) failed to file at all (for 4 YEARS). THEN, they LATE filed an obviously false finance report showing NO INCOME & NO EXPENDITURES & NO REAL MONEY IN THE BANK.

22-Complainant respectfully urges that the first thing to be done here is to fully secure ALL bank records of AND relating to the activities of BSBDC. Similarly, the sub rosa donations in kind by the Carpenter's Union (and God knows who else) MUST be looked into.

[Here, please note you can demand production (and get court order) but you CANNOT subpoena per MT Sup. Ct.]

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23-Various true & correct highlighted documents on all this are attached.

24-Complainant is aware that he is verifying all of this complaint UNDER OATH, and that everything alleged is true & correct to the best of his knowledge, information, and belief.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'James W. Kephart', written over a horizontal line. The signature is stylized and somewhat cursive.

James W. Kephart

# Committee Finance Report (C-6)

## Committee Information

Date Filed: 03/02/2016

Original Filing for: 11/25/2018 - 04/25/2020

Report Type: Periodic

Receive and File Date: 12/19/2022

Report Status: Filed

Butte Silver Bow County Democratic Central Cmte.

PO Box 4744 Butte, MT 59702

Treasurer:

Johnson, Ashley

PO Box 4744 Butte, MT 59701

Committee Type: Political Party

Bank Information:

First Montana Bank

1940 Dewey Blvd. Butte, MT 59701

## Summary Report

Cash Summary: Money Received and Spent

1. Cash in Bank - Balance from previous report

2. Receipts - Total Received and deposited this period

3. Expenditures - Total paid out this period

4. Cash in Bank - Ending Balance this report

	\$1,354.93
	+
	\$0.00
Subtotal	\$1,354.93
	-
	\$0.00
	\$1,354.93

## Loans

No entries found.

## Fundraisers

No entries found.

## Refunds, Etc ...

No entries found.

## Committee Contributions

No entries found.

Individual Contributors (Total Contributions < \$50: \$0.00) (Primary Contributions < \$50: \$0.00) (General Contributions < \$50: \$0.00)

No entries found.

## Expenditures

No entries found.

## Expenditures: Independent

False

Probablys False

False

BS

No entries found.

**Debts**

No entries found.

**Payments Only**

No entries found.

**Attachments**

No entries found.



# Committee Report List Finance Reports for committee.

## Committee Information

**Committee Name:** Butte Silver Bow County Democratic Central Cmte.

**Mailing Address:** PO Box 4744 Butte, MT 59702

**Committee Type:** Political Party

## Instructions

To add a new report, click the button below that corresponds to the report you wish to file (e.g. Add New C6, Add New C7). If multiple committee accounts exist, you must check the box next to the relevant committee for the specific report. To update or amend a report, check the box next to the relevant report, and then click on the Update or Amend Report button below. To file a pending report, check the box next to the relevant report, and then click on the Update or Amend Report button to open the report. Once the report is open, click the File tab, check the box to confirm that the report is accurate, and click Certify and File to file the report.

Committee Report List

Display 5  records

Search:

	From	To	Report Title	Type	Status	Report
<input type="checkbox"/>	11/25/2018	04/25/2020	Political Committee Finance Report	C6	Filed	Periodic
<input type="checkbox"/>	10/29/2018	11/24/2018	Political Committee Finance Report	C6	Filed	Periodic
<input type="checkbox"/>	10/08/2018	10/28/2018	Political Committee Finance Report	C6	Filed	Periodic
<input type="checkbox"/>	06/26/2018	10/07/2018	Political Committee Finance Report	C6	Filed	Periodic
<input type="checkbox"/>	05/30/2018	06/25/2018	Political Committee Finance Report	C6	Filed	Periodic

Showing 1 to 5 of 21 entries

- 
- 
- 1
- 2
- 3
- 4
- 5
- 
- 

View Report

Update or Amend Report

Add New C6

Add New C7

Add New C7E

Delete Report

Go Back

Exit

# Faith Scow

Seeking a career where I can make a positive impact



## Faith Scow

Organizing my community

Helena, Montana, United States

251 followers · 251 connections

Montana Democratic  
Legislative Campaign

Carroll College

Join to connect

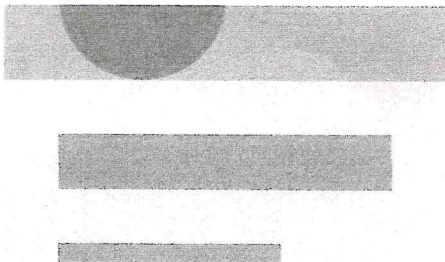
## Activity



**"Good government matters, public service matters and it's an honor to have this opportunity."**

**#localgovernment #politicsandlaw #government #landuse...**

Liked by Faith Scow



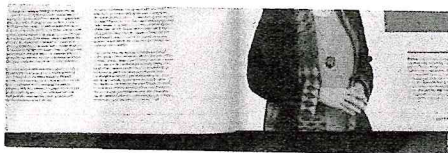
**Everyone, I'm hiring a CTO at Gaize. If you know an exceptional Android developer and leader of people, please send them my...**

Liked by Faith Scow



Join now

Sign in



community the she does hers.

Liked by Faith Scow

## Experience



### Finance Coordinator

Montana Democratic Legislative Campaign Committee

Jan 2022 - Present · 11 months

### Butte-Silver Bow Democratic Party

1 year 8 months

#### Chair

May 2021 - Present · 1 year 7 months

#### Treasurer

Apr 2021 - May 2021 · 2 months

Butte, Montana, United States

### Project Organizer

Montana Federation of Public Employees

Dec 2020 - Jun 2022 · 1 year 7 months

Montana, United States

### Political Associate

Montanans for Steve Bullock

Apr 2020 - Dec 2020 · 9 months

United States



Join now



Jan 2020 · Apr 2020 · 4 months

Helena, MT



**Finance / Call Time Manager**

A Whole Lot of Folks for Wilmot Collins

Sep 2019 - Apr 2020 · 8 months

Helena, Montana



**Intern**

U.S. Senator Jon Tester

Jun 2019 - Aug 2019 · 3 months

Montana

**Education**

**Carroll College**

Political Science · Election Studies

2016 - 2019

**View Faith's full profile**

See who you know in common

Get introduced

Contact Faith directly





# Montana Code Annotated 2021

## TITLE 13. ELECTIONS

### CHAPTER 37. CONTROL OF CAMPAIGN PRACTICES

#### Part 2. Campaign Finance

## Time For Filing Reports

**13-37-226. Time for filing reports.** (1) Except as provided in **13-37-206** and **13-37-225(3)**, a candidate shall file reports required by **13-37-225(1)(a)** containing the information required by **13-37-229**, **13-37-231**, and **13-37-232** as follows:

(a) quarterly, due on the 5th day following a calendar quarter, beginning with the calendar quarter in which funds are received or expended during the year or years prior to the election year that the candidate expects to be on the ballot and ending in the final quarter of the year preceding the year of an election in which the candidate participates;

(b) except as provided in subsection (4)(a), the 20th day of March, April, May, June, August, September, October, and November in the year of an election in which the candidate participates;

(c) within 2 business days of receiving a contribution of \$250 or more if the candidate is a candidate for a statewide office or \$125 or more for any other candidate if the contribution is received between the 15th day of the month preceding an election in which the candidate participates and the day before the election;

(d) within 2 business days of making an expenditure of \$250 or more if the candidate is a candidate for statewide office or \$125 or more for any other candidate if made between the 15th day of the month preceding an election in which the candidate participates and the day before the election;

(e) semiannually on the 10th day of March and September, starting in the year following an election in which the candidate participates until the candidate files a closing report as specified in **13-37-228(3)**; and

(f) as provided by subsection (3).

(2) Except as provided in **13-37-206**, **13-37-225(3)**, and **13-37-227**, a political committee or a joint fundraising committee shall file reports required by **13-37-225(1)(a)** containing the information required by **13-37-229**, **13-37-231**, and **13-37-232** as follows:

(a) quarterly, due on the 5th day following a calendar quarter, beginning with the calendar quarter in which the political committee or the joint fundraising committee receives a contribution or makes an expenditure after an individual becomes a candidate or an issue becomes a ballot issue, as defined in **13-1-101(6)(b)**, and ending in the final quarter of the year preceding the year in which the candidate or the ballot issue appears on the ballot;

(b) except as provided in subsection (4)(b), the 30th day of March, April, May, June, August, September, October, and November in the year of an election in which the political committee or the joint fundraising committee participates;

(c) within 2 business days of receiving a contribution, except as provided in **13-37-232**, of \$500 or more if received between the 25th day of the month before an election in which the political committee or the joint fundraising committee participates and the day before the election;

(d) within 2 business days of making an expenditure of \$500 or more that is made between the 25th day of the month before an election in which the political committee or the joint fundraising committee participates and the day before the election;

(e) quarterly, due on the 5th day following a calendar quarter, beginning in the calendar quarter following a year of an election in which the political committee or the joint fundraising committee participates until the political committee or the joint fundraising committee files a closing report as specified in 13-37-228(3); and

(f) as provided by subsection (3).

(3) In addition to the reports required by subsections (1), (2), and (4), if a candidate, political committee, or joint fundraising committee participates in a special election, the candidate, political committee, or joint fundraising committee shall file reports as follows:

(a) a report on the 60th, 35th, and 12th days preceding the date of the special election; and

(b) 20 days after the special election.

(4) (a) A candidate for a municipal office who participates in an election held in an odd-numbered year shall file the reports required in subsection (1) on the 20th day of June, July, August, September, October, and November of the year of the election in which the candidate participates.

(b) A political committee that participates in a municipal election held in an odd-numbered year shall file the reports required in subsection (2) on the 30th day of June, July, August, September, October, and November of the year of the election in which the committee participates.

(5) Except as provided by 13-37-206, candidates for a local office and political committees that receive contributions or make expenditures referencing a particular local issue or a local candidate shall file the reports specified in subsections (1) through (4) only if the total amount of contributions received or the total amount of funds expended for all elections in a campaign exceeds \$500.

(6) A report required by this section must cover contributions received and expenditures made pursuant to the time periods specified in 13-37-228.

(7) A political committee may file a closing report prior to the date in 13-37-228(3) and after the complete termination of its contribution and expenditure activity during an election cycle.

(8) For the purposes of this section:

(a) a candidate participates in an election by attempting to secure nomination or election to an office that appears on the ballot; and

(b) a political committee or a joint fundraising committee participates in an election by receiving a contribution or making an expenditure.

**History:** En. 23-4778 by Sec. 3, Ch. 480, L. 1975; amd. Sec. 1, Ch. 23, L. 1977; R.C.M. 1947, 23-4778(3) thru (6); amd. Sec. 256, Ch. 571, L. 1979; amd. Sec. 2, Ch. 339, L. 1989; amd. Sec. 1, Ch. 75, L. 1991; amd. Sec. 20, Ch. 10, L. 1993; amd. Sec. 1, Ch. 208, L. 1993; amd. Sec. 9, Ch. 18, L. 1995; amd. Sec. 1, Ch. 86, L. 1995; amd. Sec. 16, Ch. 401, L. 2001; amd. Sec. 25, Ch. 481, L. 2007; amd. Sec. 1, Ch. 252, L. 2009; amd. Sec. 1, Ch. 274, L. 2009; amd. Sec. 53, Ch. 297, L. 2009; amd. Sec. 2, Ch. 6, L. 2011; amd. Sec. 1, Ch. 295, L. 2013; amd. Sec. 11, Ch. 259, L. 2015; amd. Sec. 1, Ch. 48, L. 2017; amd. Sec. 2, Ch. 63, L. 2017; amd. Sec. 4, Ch. 429, L. 2019; amd. Sec. 1, Ch. 158, L. 2021; amd. Sec. 1, Ch. 191, L. 2021; amd. Sec. 17, Ch. 494, L. 2021; amd. Sec. 4, Ch. 571, L. 2021.



# Montana Code Annotated 2021

## TITLE 13. ELECTIONS

### CHAPTER 37. CONTROL OF CAMPAIGN PRACTICES

#### Part 2. Campaign Finance

## Time Periods Covered By Reports

**13-37-228. Time periods covered by reports.** Reports filed under **13-37-225** and **13-37-226** must be filed to cover the following time periods even though no contributions or expenditures may have been received or made during the period:

(1) The initial report must cover all contributions received or expenditures made by a candidate, political committee, or joint fundraising committee from the time that a person became a candidate a political committee, as defined in **13-1-101**, or a joint fundraising committee, as provided in **13-37-211**, until the 5th day before the date of filing of the appropriate initial report pursuant to **13-37-226**. Reports filed by political committees organized to support or oppose a statewide ballot issue must disclose all contributions received and expenditures made prior to the time an issue becomes a ballot issue by transmission of the petition to the proponent of the ballot issue or referral by the secretary of state even if the issue subsequently fails to garner sufficient signatures to qualify for the ballot.

(2) Subsequent periodic reports must cover the period of time from the closing of the previous report to 5 days before the date of filing of a report pursuant to **13-37-226**. For the purposes of this subsection, the reports required under **13-37-226(1)(c)**, **(1)(d)**, **(2)(c)**, and **(2)(d)** are not periodic reports and must be filed as required by **13-37-226(1)(c)**, **(1)(d)**, **(2)(c)**, and **(2)(d)**, as applicable.

(3) Closing reports must cover the period of time from the last periodic report to the final closing of the books of the candidate, political committee, or joint fundraising committee. A candidate, political committee, or joint fundraising committee shall file a closing report following an election in which the candidate, political committee, or joint fundraising committee participates whenever all debts and obligations are satisfied and further contributions or expenditures will not be received or made that relate to the campaign unless the election is a primary election and the candidate, political committee, or joint fundraising committee will participate in the general election.

(4) If all debts and obligations are satisfied and further contributions or expenditures will not be received or made, a joint fundraising committee may file a closing report at any time.

**History:** En. 23-4778 by Sec. 3, Ch. 480, L. 1975; amd. Sec. 1, Ch. 23, L. 1977; R.C.M. 1947, 23-4778(8); amd. Sec. 258, Ch. 571, L. 1979; amd. Sec. 2, Ch. 75, L. 1991; amd. Sec. 17, Ch. 401, L. 2001; amd. Sec. 26, Ch. 481, L. 2007; amd. Sec. 133, Ch. 56, L. 2009; amd. Sec. 2, Ch. 252, L. 2009; amd. Sec. 12, Ch. 259, L. 2015; amd. Sec. 5, Ch. 429, L. 2019; amd. Sec. 19, Ch. 494, L. 2021.

# Montana Code Annotated 2021

## TITLE 13. ELECTIONS

### CHAPTER 37. CONTROL OF CAMPAIGN PRACTICES

#### Part 2. Campaign Finance

## Disclosure Requirements For Candidates, Ballot Issue Committees, Political Party Committees, And Independent Committees

**13-37-229. Disclosure requirements for candidates, ballot issue committees, political party committees, and independent committees.** (1) The reports required under **13-37-225** through **13-37-227** from candidates, ballot issue committees, **political party committees**, independent committees, and joint fundraising committees must disclose the following information concerning contributions received:

- (a) the amount of cash on hand at the beginning of the reporting period;
- (b) the full name, mailing address, occupation, and employer, if any, of each person who has made aggregate contributions, other than loans, of \$50 or more to a candidate, **political committee**, or joint fundraising committee, including the purchase of tickets and other items for events, such as dinners, luncheons, rallies, and similar fundraising events. If a contribution is made by a joint fundraising committee to a participant in the joint fundraising committee, the participant shall disclose the information in this subsection (1)(b) for each contributor of the funds allocated to the participant by the joint fundraising committee.
- (c) for each person identified under subsection (1)(b), the aggregate amount of contributions made by that person within the reporting period and the total amount of contributions made by that person for all reporting periods;
- (d) the total sum of individual contributions made to or for a political committee, candidate, or joint fundraising committee and not reported under subsections (1)(b) and (1)(c);
- (e) the name and address of each political committee, candidate, or joint fundraising committee from which the reporting committee or candidate received any transfer of funds, together with the amount and dates of all transfers;
- (f) each loan from any person during the reporting period, together with the full names, mailing addresses, occupations, and employers, if any, of the lender and endorsers, if any, and the date and amount of each loan;
- (g) the amount and nature of debts and obligations owed to a political committee, candidate, or joint fundraising committee in the form prescribed by the commissioner;
- (h) an itemized account of proceeds that total less than \$50 from a person from mass collections made at fundraising events;
- (i) each contribution, rebate, refund, or other receipt not otherwise listed under subsections (1)(b) through (1)(h) during the reporting period; and
- (j) the total sum of all receipts received by or for the committee or candidate during the reporting period.



(2) (a) Except as provided in subsection (2)(c), the reports required under 13-37-225 through 13-37-227 from candidates, ballot issue committees, political party committees, independent committees, and joint fundraising committees must disclose the following information concerning expenditures made:

(i) the full name, mailing address, occupation, and principal place of business, if any, of each person to whom expenditures have been made by the committee or candidate during the reporting period, including the amount, date, and purpose of each expenditure and the total amount of expenditures made to each person;

(ii) the full name, mailing address, occupation, and principal place of business, if any, of each person to whom an expenditure for personal services, salaries, and reimbursed expenses has been made, including the amount, date, and purpose of that expenditure and the total amount of expenditures made to each person;

(iii) the total sum of expenditures made by a political committee, candidate, or joint fundraising committee during the reporting period. If the expenditure is made by a joint fundraising committee, the joint fundraising committee shall report gross and net allocations to each participant.

(iv) the name and address of each political committee, candidate, or joint fundraising committee to which the reporting committee or candidate made any transfer of funds, together with the amount and dates of all transfers;

(v) the name of any person to whom a loan was made during the reporting period, including the full name, mailing address, occupation, and principal place of business, if any, of that person and the full names, mailing addresses, occupations, and principal places of business, if any, of the endorsers, if any, and the date and amount of each loan;

(vi) the amount and nature of debts and obligations owed by a political committee, candidate, or joint fundraising committee in the form prescribed by the commissioner; and

(vii) if a joint fundraising committee allocated contributions to a participant, the contribution information under subsections (1)(a) through (1)(c) for each contributor that contributed to the gross amount allocated by the joint fundraising committee to the participant.

(b) Reports 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.

(c) A candidate is required to report the information specified in this subsection (2) only if the transactions involved were undertaken for the purpose of supporting or opposing a candidate.

(d) Subsection (2)(a)(vii) applies only to the report of a joint fundraising committee.

(3) (a) A candidate, a political committee, or a joint fundraising committee is not required to report the following expenditures under the 2-business-day reporting requirements in 13-37-226(1)(d) and (2)(d):

(i) bookkeeping expenses paid to track and ensure campaign finance compliance; and

(ii) payroll expenditures.

(b) A candidate, a political committee, or a joint fundraising committee is not relieved of the duty to report the expenditures listed in subsection (3)(a) in the next periodic report.

(4) A candidate is not required to report:

(a) contributions received from a political party committee for compensation of the personal services of another person that are rendered to the candidate if the political party committee reports the amount of contributions made to the candidate in the form of personal services; and

(b) tangible campaign materials such as campaign signage, literature, or photographs produced for a previous campaign or video produced for a previous campaign if the expenditures to produce the tangible materials or video were reported in a previous campaign by the candidate.

**History:** En. 23-4779 by Sec. 4, Ch. 480, L. 1975; R.C.M. 1947, 23-4779(1) through (9), (part (16)); amd. Sec. 1, Ch. 36, L. 1987; amd. Sec. 3, Ch. 75, L. 1991; amd. Sec. 3, Ch. 462, L. 2003; amd. Sec. 13, Ch. 259, L. 2015; amd. Sec. 24, Ch. 494, L. 2021.



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