



ADMINISTRATIVE RULES OF MONTANA



44.11.224 DESIGNATION OF CONTRIBUTIONS FOR PRIMARY AND GENERAL ELECTIONS

- (1) Aggregate contributions for elections in a campaign are limited according to 13-37-216 and 13-37-218, MCA, and as explained by ARM 44.11.222. An "election" in a campaign is either a primary election or a general election.
- (2) For purposes of applying aggregate contribution limits per election the following apply:
 - (a) aggregate contribution limits for each election, as set forth in 13-37-216, MCA, apply to a primary election and to a general election as defined in ARM 44.11.222;
 - (b) time periods for filing reports of contributions and expenditures are set forth in 13-37-226 and 13-37-228, MCA. As a general rule, contributions received by a candidate prior to and on the day of a primary election are designated for the primary election and are subject to the aggregate contribution limits for the primary election; however, a candidate in a contested primary may receive contributions designated for the general election during the primary election period (except for in-kind contributions) subject to the contribution limits for the general election;
 - (c) general election contributions received prior to the day of the primary election must be maintained in a separate account and shall not be used until after the day of the primary election;
 - (d) all contributions received by a candidate after the day of the primary election are designated as general election contributions and are subject to the aggregate contribution limit for the general election, except that a candidate may continue to receive contributions designated for the primary election subject to the limits after that election only for the purpose of paying primary election debts. General election contributions shall not be used to pay primary election debt;
 - (e) leftover funds that were designated for the primary election may be used for general election purposes if all primary debt has been paid.
- (3) A candidate for the legislature may use the same account in a campaign depository for primary and general election contributions received without being required to segregate those funds if:
 - (a) the candidate maintains records concerning when a contribution is received, and for which election the contribution is designated for; and
 - (b) the account balance does not drop below the amount of general election contributions received until after the day of the primary election.

- (4) If a candidate receives contributions designated for the general election prior to the primary, and does not proceed to the general election, the candidate must return the contributions to the donors. These funds are not "surplus campaign funds" as defined in ARM 44.11.702.

Authorizing statute(s): 13-37-114, MCA

Implementing statute(s): 13-37-205, 13-37-216, MCA

History: NEW, 1996 MAR p. 784, Eff. 3/22/96; AMD, 2001 MAR p. 2049, Eff. 10/12/01; TRANS and AMD, from ARM 44.10.330, 2016 MAR p. 28, Eff. 1/9/16; AMD, 2022 MAR p. 253, Eff. 2/12/22.