



ADMINISTRATIVE RULES OF MONTANA



44.11.222 ELECTIONS TO WHICH AGGREGATE CONTRIBUTION LIMITS APPLY

- (1) The term "aggregate contributions" means the total of all of the following contributions made by or received from a person for each election in a campaign:
 - (a) all contributions, as defined in 13-1-101, MCA, and further defined in ARM 44.11.401;
 - (b) all earmarked contributions, as defined in ARM 44.11.404;
 - (c) all expenditures encouraged in order to avoid a contribution, as specified in ARM 44.11.504; and
 - (d) all contributions that are coordinated as defined in 13-1-101, MCA, and further explained in ARM 44.11.501 and 44.11.602.
- (2) The term "contested primary," as used in 13-37-216, MCA, means a primary election in which two or more candidates compete for the same nomination.

An election is not contested when, due to the number of candidates, the candidate automatically advances to the general election or position. For example:

- (a) in partisan primary elections, if two or more candidates compete for one party's nomination, it is a "contested primary," resulting in two elections to which the contribution limits in 13-37-216, MCA, apply. For the two candidates seeking Party A's nomination in the primary election for a public office, it is a contested primary with respect to Party A's nomination; or
- (b) if only one candidate seeks Party B's nomination for the same public office, it is not a contested primary with respect to Party B's nomination, and there is only one election to which the contribution limits in 13-37-216, MCA, apply; or
- (c) in judicial and other nonpartisan primary elections, if a nonpartisan candidate automatically advances from the primary election to the general election pursuant to 13-14-117, MCA, it is not a contested primary election; or
- (d) when an incumbent judicial officer is the only candidate who files a declaration for nomination in the primary election, and subsequently faces a vote, pursuant to 13-14-212, MCA, for or against retention in the general election, there is no "contested primary," and there is only one election to which the contribution limits in 13-37-216, MCA, apply.

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

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



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History: NEW, 1995 MAR p. 2048, Eff. 9/28/95; AMD, 1996 MAR p. 787, Eff. 3/22/96; TRANS and AMD, from ARM 44.10.334, 2016 MAR p. 28, Eff. 1/9/16.