



ADMINISTRATIVE RULES OF MONTANA

4.12.1033 PENALTY MATRIX FOR COMMODITY DEALERS AND WAREHOUSE LAWS

- (1) The look back period for all offenses is five years prior to the occurrence of the new violation, except for when operating as a commodity dealer without a license, which is eight years.

Violation	1st time (or accidental)	2nd (or intentional)	3rd
Required paperwork submitted one month or more late or incomplete with no risk to the farmer/customer	Warning	Warning	\$100 dollars per additional month and possible suspension of license until the paperwork is submitted
Required paperwork submitted one month or more late or incomplete paperwork, with risk to the farmer/customer	Warning	\$250 dollars per additional month and possible suspension of license until the paperwork is submitted	\$250 dollars per additional month and possible revocation of license
Required language not included in commodity contract (i.e., deferred payment) or warehouse receipt not provided	Warning	\$100 per contract or missing receipt up to a maximum fine of \$5000	\$200 per contract or missing receipt up to a maximum fine of \$10,000 and possible revocation of license

Paperwork includes false or misleading material statements about buying, financial records, bonding, warehouse receipts, or storage capacity	Up to \$250 and possible suspension of license until the paperwork is corrected	The lowest corrected bonding cost amount or \$10,000, possible suspension, or revocation of license	The lowest corrected bonding cost amount or \$100,000, or revocation of license
Failure to post required testing information or retain samples as required by law	Warning	\$250	\$500
Operating as a commodity dealer or warehouse without a license	The higher bonding cost amount or \$500	The higher bonding cost amount or \$10,000 (no more than \$100,000)	

Authorizing statute(s): 80-4-403, 80-4-429, MCA

Implementing statute(s): 80-4-421, 80-4-426, 80-4-427, 80-4-428, 80-4-429, 80-4-502, 80-4-601, MCA

History: NEW, 2020 MAR p. 1019, Eff. 6/13/20.