

MONTANA

INTRODUCTION

The Commissioner of Political Practices has jurisdiction over election laws and ethics laws covering state officers, legislators, and employees, except in the case of a legislator if a “legislative act” is involved in the complaint. [Mont. Code Ann. §§ 13-37-111\(1\), 2-2-136\(1\)\(a\)](#).

SCOPE OF SANCTIONS

Personnel actions – NONE but can recommend personnel actions to the “employing entity” of a state employee. [Mont. Code Ann. § 2-2-136\(2\)\(c\)](#).

Injunctions – NONE

Fines – the authority to issue fines of between \$500 and \$10,000 for violations of ethics laws. [Mont. Code Ann. § 2-2-136\(2\)\(b\)](#).

ENFORCEMENT ACTIONS for 2016, 2017, and 2018, if available

1. How many complaints were filed?

2016 – 7 complaints were filed.¹
 2017 – 4 complaints were filed.²
 2018 – 2 complaints were filed.³

2. How many complaints were dismissed?

2016 – 6 complaints were rejected.⁴
 2017 – 3 complaints were rejected.⁵
 2018 – 0 complaint was rejected.⁶

3. How many cases were resolved with a finding of no ethics violation?

2016 – 0 cases were resolved with a finding of no ethics violation.⁷
 2017 – 1 case was resolved with a finding of no ethics violation.⁸
 2018 – 1 case was resolved with a finding of no ethics violation.⁹

4. How many cases were resolved with a finding of an ethics violation?

2016 – 1 case was resolved with a finding of an ethics violation.¹⁰
 2017 – 0 cases were resolved with a finding of an ethics violation.¹¹
 2018 – 1 case was resolved with a finding of an ethics violation.¹²

5. What sanction was adopted?

2016 – A fine of \$3,000 was adopted.¹³
 2017 – No sanctions were adopted.

2018 – A fine of \$3,000 was adopted.¹⁴

ARE THE DECISIONS PUBLICLY AVAILABLE?

Yes, the decisions are publicly available.¹⁵

SOURCES

Montana Commissioner of Political Practices, Ethics Decisions and Rejections, <https://politicalpractices.mt.gov/decisionseth>

Email Correspondence with Jaime MacNaughton, Chief Legal Counsel for the Office of the Commissioner of Political Practices, June 10, 2019.

NOTES

Cases that are rejected are not accepted for filing. This could be due to insufficient evidence provided and/or because no ethics violations are provided in the complaint. Thus, these cases were classified as dismissed.

All information provided in the report is based on the ethics decisions and rejections database on March 27, 2018. There is no information about failure to file financial disclosure statements on the website, even though the Commission is charged with receiving the statements. A [news report](#) states that the Commission does not review the statements that are filed and has never penalized anyone for failure to file.

¹ Ethics Decisions and Rejections Database. Confirmed by Email Correspondence with Jaime MacNaughton, Chief Legal Counsel for the Office of the Commissioner of Political Practices, June 10, 2019.

² Ibid.

³ Ibid.

⁴ Ibid.

⁵ Ibid.

⁶ Ibid.

⁷ Ibid.

⁸ Ibid.

⁹ Ibid.

¹⁰ Ibid.

¹¹ Ibid.

¹² Ibid.

¹³ Ibid.

¹⁴ Ibid.

¹⁵ Montana Ethics Decisions and Rejections