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PRESS RELEASE

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United States Court of Appeals for the Ninth Circuit – Lair v. Motl, No. 16-35424

The Ninth Circuit Court today upheld Montana's campaign finance limits in a 2-1 decision reversing the District court decision in Lair v. Motl.

Montana has a long tradition of transparency and openness in campaign finance and political practice. Campaign finance limits as determined by Montanans for Montana campaigns won a major victory today. Montana's Commissioner of Political Practices office extends its gratitude to the Montana Attorney General's office and former Commissioner Motl & staff, for their diligent work in assuring the citizens of Montana have the ability to set reasonable campaign finance contribution limits while upholding our 1st Amendment rights.

From the Decision:

"Montana's limits are closely drawn to further the state's important interest in preventing actual or perceived quid pro quo corruption. Montana has shown the risk of quid pro quo corruption in Montana is not illusory. Its chosen contribution limits are narrowly focused; they do not prevent contributors from affiliating with the candidates of their choosing; and they do not prevent candidates from raising the money needed for effective campaigning, whether the candidate is an incumbent or challenger and whether the race is competitive or average. We hold, therefore, that Montana's limits survive First Amendment scrutiny"

The Court concluded:

"Our Constitution permits contribution limits to serve the narrow but vital purpose of preventing actual or apparent quid pro quo corruption in politics. Because the limitations imposed by Montana Code Annotated § 13-37-216 both further that interest and are adequately tailored to it, they satisfy the First Amendment.
REVERSED."

What does this mean for Montana's political campaign contribution limits? Effective today, our limits are set per "election" rather than cycle at the limits that were in place in early May, 2016 (see attached). For current local elections, candidates need to be aware of the $170 limit from individuals and independent committees. Candidates who did not have a primary election in their municipality will not be required to return any contribution over $170 received on or before October 22, 2017. Candidates are reminded, however, that the $170 limits applies for all contributions received now through the election.

Campaign contribution limits for the 2018 Election cycle will be published in December 2017.