

SENATE BILL NO. 374

INTRODUCED BY R. LAIBLE

A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING POLITICAL PARTIES, POLITICAL COMMITTEES, AND OTHER POLITICAL ORGANIZATIONS TO SUPPORT NONPARTISAN CANDIDATES; AMENDING SECTIONS 3-10-201 AND 13-10-602, MCA; AND REPEALING SECTION 13-35-231, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 3-10-201, MCA, is amended to read:

"3-10-201. Election. (1) Each justice of the peace must be elected by the qualified electors of the county at the general state election next preceding the expiration of the term of office of ~~his~~ the justice's predecessor.

(2) A justice of the peace ~~shall~~ must be nominated and elected on the nonpartisan judicial ballot in the same manner as are judges of the district court.

(3) Each judicial office ~~shall~~ must be a separate and independent office for election purposes, ~~and~~ each office ~~shall~~ must be numbered by the county commissioners, and each candidate for justice of the peace shall specify the number of the office for which ~~he~~ the candidate seeks to be elected. A candidate may not file for more than one office.

~~———— (4) Section 13-35-231, prohibiting political party endorsement for judicial officers, shall also apply to justices of the peace."~~

Section 2. Section 13-10-602, MCA, is amended to read:

"13-10-602. Use of party name -- political support of nonpartisan candidates. (1) ~~Every~~ Each political party and its regularly nominated candidates, members, and officers have the ~~sole and~~ exclusive right to the use of the party name. ~~No~~ A candidate for office may not use any word of the name of any other political party or organization other than that by which ~~he~~ the candidate is nominated.

(2) An independent or nonpartisan candidate ~~shall~~ may not use any word of the name of any existing political party or organization in ~~his candidacy~~ the candidate's own campaign material.

(3) Nothing in this section prohibits a political party, political committee, or other political organization

1 from supporting a nonpartisan candidate."

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3 NEW SECTION. **Section 3. Repealer.** Section 13-35-231, MCA, is repealed.

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