SENATE LOCAL GOVERNMENT
EXHIBIT NO. 1
DATE 3.6.09
BILL NO. HB 244

HB 244

RESOLUTION 2008 - 01

COUNTY OFFICERS ABSENCE FROM THE STATE

It is the intent of the Montana Association of Counties to seek legislation to clarify that county officers may be absent from the state more than 60 days with the consent of the board of county commissioners.

WHEREAS, Section 7-4-2208 MCA reads: Absence of county officers from state. (1) Subject to subsection (2) and except as provided in 10-1-1008, if a county officer is absent from the state for a period of more than 60 days or for a period longer than 15 days without the consent of the board of county commissioners, the officer forfeits the office; and

WHEREAS, Section 7-4-2208 has been interpreted that if a county officer absences themselves from the state more than 60 days the officer forfeits their office; and

WHEREAS, situations arise that such absence is justified and cannot be avoided, such as medical treatment for the officer or member of the officers family; and

NOW, THEREFORE, BE IT RESOLVED, the Montana Association of Counties seek legislation to amend Section 7-4-2208 MCA to clarify that an officer may be absent from the state for more than 60 days with the consent of the board of county commissioners.

SPONSOR:	**MACo Districts 4 and 5**
RECOMMENDATION:	**Do Pass**
PRIORITY:	**High**
REFERRED TO:	**Resolutions Committee**
ADOPTED:	**Annual Conference, Hamilton, MT September 24, 2008**