

SENATE BILL NO. 374

INTRODUCED BY A. OLSON

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A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO CANDIDATES FOR PRECINCT COMMITTEE REPRESENTATIVES OF EACH PARTY; CLARIFYING THE PROCESS FOR FILLING A VACANCY IN A PRECINCT COMMITTEE POSITION; AND AMENDING SECTION 13-38-201, MCA."

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

Section 1. Section 13-38-201, MCA, is amended to read:

"13-38-201. Election of committee representatives at primary -- vacancies. (1) Except as provided in subsection (4), each political party shall elect at each primary election one person of each sex to serve as committee representatives for each election precinct. The committee representatives must be residents and registered voters of the precinct.

(2) An elector may be placed in nomination for precinct committee representative by a ~~written statement~~ declaration of nomination, signed by the elector, notarized, and filed in the office of the ~~registrar~~ county election administrator within the time for filing declarations naming candidates for nomination at the regular biennial primary election.

(3) Except as provided in subsection (4), the names of candidates for precinct committee representative of each political party must appear on the party ticket in the same manner as other candidates and are voted for in the same manner as other candidates.

~~(4) If only one person of each sex has been nominated to fill a precinct's positions, the election administrator may decline to include that precinct's election in the primary election. If a precinct's election is not held during the primary election pursuant to this subsection, the county governing body shall declare elected by acclamation the candidates nominated for that precinct's committee representative positions.~~

(4) If the number of candidates nominated for a party's precinct committee representatives is less than or equal to the number of positions to be elected, the election administrator may give notice that a party's precinct committee election will not be held in that precinct.

(5) If a party precinct committee election is not held pursuant to subsection (4), the election administrator shall declare elected by acclamation the candidate who filed for the position or who filed a declaration of intent

1 to be a write-in candidate. The election administrator shall issue a certificate of election to the designated party.

2 (6) Write-in votes for precinct committee representatives may be counted as specified in 13-15-206(5)

3 only if the individual whose name is written in has filed a declaration of intent as a write-in candidate by the

4 deadline prescribed in 13-10-211(1).

5 (7) Pursuant to 13-38-101, a vacancy in a precinct committee representative position must be filled by

6 the party governing body as provided in its rules."

7 - END -