

## HOUSE BILL NO. 349

INTRODUCED BY G. HOLLENBAUGH

BY REQUEST OF THE SECRETARY OF STATE

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A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THAT COSTS ASSOCIATED WITH PLACING LEGISLATIVE REFERENDA ON A BALLOT BE REIMBURSED TO COUNTIES; AMENDING SECTION 13-1-302, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

**Section 1.** Section 13-1-302, MCA, is amended to read:

**"13-1-302. Election costs.** (1) Unless specifically provided otherwise, all costs of the regularly scheduled primary and general elections ~~shall~~ must be paid by the counties and other political subdivisions for which the elections are held. Each political subdivision shall bear its proportionate share of the costs as determined by the county governing body.

(2) A political subdivision holding an annual election with a regularly scheduled school election shall bear its proportionate share of the costs as determined by the county election administrator and the school district election administrator.

(3) The political subdivision for which a special election is held shall bear all costs of the election, or its proportionate share as determined by the county governing body if held in conjunction with any other election.

(4) Costs of elections may not include the services of the election administrator or capital expenditures.

(5) The county governing body shall set a schedule of fees for services provided to school districts by the election administrator.

(6) Election costs ~~shall~~ must be paid from county funds, and any shares paid by other political subdivisions ~~shall~~ must be credited to the fund from which the costs were paid.

(7) The proportionate costs referred to in subsection (1) ~~of this section shall be~~ are only those additional costs incurred as a result of the political subdivision holding its election in conjunction with the primary or general election.

(8) (a) The county election administrator shall calculate the costs incurred by the county for including

1 on a general election ballot or special election ballot legislative acts or amendments to the constitution referred  
2 to the people by the legislature and shall submit the costs to the department of administration.

3 (b) The department of administration shall certify the costs submitted by the election administrator under  
4 subsection (8)(a) and, upon certification, shall reimburse the county for the amount certified."

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6 NEW SECTION. Section 2. Effective date. [This act] is effective July 1, 2013.

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