

HOUSE BILL NO. 503
INTRODUCED BY J. BALYEAT

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT IN A GENERAL PARTISAN ELECTION, THE NAME OF A CANDIDATE WHO HAS BEEN NOMINATED BY MORE THAN ONE PARTY MUST APPEAR ON THE GENERAL ELECTION BALLOT ONCE FOR EACH PARTY THAT THE CANDIDATE IS REPRESENTING; PROVIDING THAT THE VOTES RECEIVED BY A MULTIPARTY CANDIDATE AT A GENERAL ELECTION BE TOTALED AND THAT THE AGGREGATE NUMBER OF VOTES RECEIVED BE USED IN DETERMINING THE WINNER; AMENDING SECTION 13-12-203, MCA; AND REPEALING SECTION 13-10-303, MCA."

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

NEW SECTION. Section 1. Counting votes for candidate nominated by more than one party. In a general election, votes for an individual whose name appears on the ballot more than once, as provided in 13-12-203, including votes cast for the individual as a write-in candidate, must be totaled. The aggregate number of votes received by the individual, irrespective of party affiliation, must be used in determining the winner of the election.

Section 2. Section 13-12-203, MCA, is amended to read:

"13-12-203. Printing of candidate's name and party designation on ballot. (1) (a) Except as provided in 13-10-209 ~~and 13-10-303~~, in partisan elections, candidates' names ~~shall~~ must be printed under the title of the office sought, with the name of the party, in not more than three words, or "Independent" printed opposite the name.

(b) In a general partisan election, if an individual is a candidate representing more than one party, the individual's name must appear once for each party for which the individual is the nominated candidate.

(2) In nonpartisan elections, the candidates' names ~~shall~~ must be printed under the title of the office sought, with no description or designation printed with the name unless partisan and nonpartisan offices appear on the same ballot. In ~~such a~~ that case, the names of nonpartisan candidates ~~shall~~ must have printed with them the words "Nominated without party designation"."

NEW SECTION. Section 3. Repealer. Section 13-10-303, MCA, is repealed.

NEW SECTION. **Section 4. Codification instruction.** [Section 1] is intended to be codified as an integral part of Title 13, chapter 15, part 2, and the provisions of Title 13, chapter 15, part 2, apply to [section 1].

NEW SECTION. **Section 5. Coordination instruction.** If House Bill No. 25 and [this act] are both passed and approved, then House Bill No. 25 is void.

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