

HOUSE BILL NO. 288

INTRODUCED BY B. BENNETT

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A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING FILING FEE REQUIREMENTS FOR PRESIDENTIAL PREFERENCE PRIMARY ELECTIONS; AND AMENDING SECTIONS 13-10-202, 13-10-404, AND 13-10-405, MCA."

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

**Section 1.** Section 13-10-202, MCA, is amended to read:

**"13-10-202. Filing fees.** Filing fees are as follows:

- (1) for offices having an annual salary of \$2,500 or less and candidates for the legislature, \$15;
- (2) for county offices having an annual salary of more than \$2,500, 0.5% of the total annual salary;
- (3) for president in a presidential preference primary, an amount equivalent to the filing fee required for a United States senate candidate;

- ~~(3)~~(4) for other offices having an annual salary of more than \$2,500, 1% of the total annual salary;
- ~~(4)~~(5) for offices in which compensation is paid in fees, \$10;
- ~~(5)~~(6) for officers of political parties, presidential electors, and officers who receive no salary or fees, no filing fee is required."

**Section 2.** Section 13-10-404, MCA, is amended to read:

**"13-10-404. Placement of candidate on primary ballot -- methods of qualification -- filing fee. (1)**

Before an individual intending to qualify as a presidential candidate may qualify for placement on the ballot, the individual shall qualify by one or more of the following methods:

- ~~(+)~~(a) The individual has submitted a declaration for nomination that is signed by the candidate or an authorized election official to the secretary of state pursuant to 13-10-201(2) and has been nominated on petitions with the verified signatures of at least 500 qualified electors. The secretary of state shall prescribe the form and content of the petition.
- ~~(2)~~(b) The individual has submitted a declaration for nomination to the secretary of state pursuant to 13-10-201, and the secretary of state has determined, by the time that declarations for nomination are to be filed,

1 that the individual is eligible to receive payments pursuant to the federal Presidential Primary Matching Payment  
2 Account Act, 26 U.S.C. 9031, et seq.

3 (2) Except as provided by 13-10-201(3), the individual's declaration for nomination submitted pursuant  
4 to subsection (1) of this section must be accompanied by the filing fee set in 13-10-202(3)."

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6 **Section 3.** Section 13-10-405, MCA, is amended to read:

7 **"13-10-405. Submission and verification of petition.** Petitions of nomination for the presidential  
8 preference primary election and the affidavits of circulation required by 13-27-302 must be presented to the  
9 election administrator of the county in which the signatures are gathered at least 1 week before the primary  
10 election filing deadline prescribed in 13-10-201(7). ~~A filing fee is not required.~~ The election administrator shall  
11 verify the signatures in the manner prescribed in 13-27-303 through 13-27-308 and must forward the petitions  
12 to the secretary of state by the filing deadline prescribed in 13-10-201(7)."

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