

HOUSE BILL NO. 288

INTRODUCED BY B. BENNETT, B. BEARD, G. CUSTER, F. GARNER, E. GREEF, A. HERTZ, G. HERTZ,
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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:

~~(1)~~(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

1 13-10-201, and the secretary of state has determined, by the time that declarations for nomination are to be filed,
2 that the individual is eligible to receive payments pursuant to the federal Presidential Primary Matching Payment
3 Account Act, 26 U.S.C. 9031, et seq.

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

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

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

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