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HOUSE BILL NO. 464

INTRODUCED BY P. FIELDER, S. GUNDERSON, J. SCHILLINGER, B. MITCHELL, S. VINTON, L. BREWSTER, B. LER, B. KEENAN, M. YAKAWICH, B. BROWN, S. HINEBAUCH, M. NOLAND, G. HERTZ, C. GLIMM, J. ELLSWORTH, P. GREEN, G. KMETZ, T. FALK, B. PHALEN, B. BEARD, L. DEMING, L. HELLEGAARD, T. SMITH, Z. WIRTH, N. DURAM, E. BUTCHER

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO JUDICIAL TRANSPARENCY IN JUDICIAL ELECTIONS; ALLOWING JUDICIAL CANDIDATES TO INDICATE A POLITICAL PARTY AFFILIATION ON A DECLARATION FOR NOMINATION AND TO HAVE THAT AFFILIATION APPEAR ON THE BALLOT; ALLOWING JUDICIAL CANDIDATES TO ANNOUNCE POLITICAL PARTY AFFILIATIONS AND ENDORSEMENTS; REVISING HOW VACANCIES IN JUDICIAL ELECTIONS ARE FILLED; AND AMENDING SECTIONS 13-10-209, 13-10-602, 13-12-203, 13-14-112, AND 13-14-115, MCA."

WHEREAS, the purpose of this bill is to allow judicial candidates to state their political party affiliation, if desired, when filing for offices and to allow voters to know the candidates' affiliations to give them additional information about the people on the ballot.

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

NEW SECTION. **Section 1. Judicial candidate may indicate political party affiliation.** A candidate for judicial office may indicate the candidate's political party affiliation on the candidate's declaration for nomination.

NEW SECTION. **Section 2. Judicial candidate may announce political party affiliation and endorsement.** A candidate for judicial office may announce the candidate's political party affiliation or a campaign endorsement that the candidate has received.

Section 3. Section 13-10-209, MCA, is amended to read:

1 (2) (a) ~~Subject~~ Except as provided in subsection (2)(b) and subject to 13-12-202, in nonpartisan
2 general elections, the candidates' names must appear under the title of the office sought, with no description or
3 designation appearing with the name unless partisan and nonpartisan offices appear on the same ballot. In
4 such a case, the names of nonpartisan candidates must appear with the word "Nonpartisan".

5 (b) In an election for judicial office, the candidates' names must appear under the title of the office
6 sought, with the name of the candidate's political party affiliation, if any, in no more than three words appearing
7 opposite or below the candidate's name. If a candidate for judicial office did not indicate a political party
8 affiliation as provided in 13-14-112, the name of the candidate must appear with the word "Undisclosed".

9 (3) Except as otherwise provided by this section, information about the candidate other than the
10 candidate's name may not appear on the ballot, including a title, accomplishment, award, or degree."

11

12 **Section 6.** Section 13-14-112, MCA, is amended to read:

13 **"13-14-112. Declarations for nomination -- fee -- filing.** (1) Nonpartisan candidates shall file
14 declarations for nomination as required by the primary election laws in a form prescribed by the secretary of
15 state except as provided in 13-14-113. Except for a candidate covered under 7-1-205, a candidate may not file
16 for more than one public office.

17 (2) (a) ~~Declarations~~ Except as provided in subsection (2)(b), declarations may not indicate political
18 affiliation. The candidate may not state in the declaration any principles or measures that the candidate
19 advocates or any slogans.

20 (b) A candidate for judicial office may indicate the candidate's political party affiliation on the
21 declaration ~~and state in the declaration any principles or measures that the candidate advocates or any~~
22 ~~slogans~~. A candidate that does not indicate a political party affiliation on the declaration may list "Undisclosed".

23 (3) Each individual filing a declaration shall pay the fee prescribed by law for the office that the
24 individual seeks.

25 (4) Declarations must be filed:

26 (a) in the office of the secretary of state or the appropriate election administrator as provided in 13-
27 10-201; and

28 (b) within the filing period provided in 13-10-201(7) for the office that the individual seeks."