1   SENATE BILL NO. 420

2   INTRODUCED BY C. FRIEDEL

3

4   A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING ELECTIONS FOR MUNICIPAL OFFICERS TO BE

5   HELD ON EVEN-NUMBERED YEARS; AMENDING SECTIONS 3-6-201 AND 13-1-104, MCA; AND

6   PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

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10   **Section 1.** Section 3-6-201, MCA, is amended to read:

11   "**3-6-201.   Number of judges -- election -- term of office -- chief judge -- duties of chief judge.** (1)

12   The governing body of a city shall determine by ordinance the number of judges required to operate the

13   municipal court.

14   (2)   A municipal court judge must be elected at the general election, as provided in 13-1-104(3)(2).

15   The judge's term commences on the first Monday in January following the election. The judge shall hold office

16   for the term of 4 years and until a successor is elected and qualified.

17   (3)   Except as provided in subsection (2), all elections of municipal court judges are governed by

18   the laws applicable to the election of district court judges.

19   (4)   (a) If there is more than one municipal court judge, the judges shall adopt a procedure by which

20   they either:

21   (i)   select a chief municipal court judge at the beginning of each calendar year; or

22   (ii)   select a chief municipal court judge for a specific period of time.

23   (b)   If the judges cannot agree, the judge with the most seniority shall serve as the chief municipal

24   court judge.

25   (5)   The chief municipal court judge shall provide for the efficient management of the court, in

26   cooperation with the other judge or judges, if any, and shall:

27   (a)   maintain a central docket of the court's cases;

Amendment - 1st Reading/2nd House-blue - Requested by: Larry Brewster - (H) Local Government
- 2023
68th Legislature 2023   Drafter: Laura Sankey Keip, 406-444-4410   SB0420.001.003

1   (2) (a) A municipal officer whose term ends in January 2026 shall be appointed to the office for an

2 additional 1-year term ending in January 2027.

3   (b) A municipal officer appointed as provided in subsection (2)(a) may run for reelection in 2026 if

4 the officer is not otherwise restricted from running for reelection.

5   (3) The additional 1-year term provided in subsections (1)(a) and (2)(a) may not be counted as a

6 term of office when calculating whether the municipal officer has reached a term limit.

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8   <u>COORDINATION SECTION.</u> **Section 4. Coordination instruction**. If House Bill No. 774 is passed

9 and approved and if it includes a section that amends 13-1-104, then [section 2 of this act], amending 13-1-104,

10 is void.

11

12   <u>NEW SECTION.</u> **Section 5. Effective date.** [This act] is effective on passage and approval.

13   - END -