

Section-by-Section Summary of LCsa02 02126 General Revision of Election Laws

Prepared by Sheri Scurr, Legislative Services Division
for the State Administration and Veterans' Affairs Interim Committee
June 5, 2014

Color Codes

Black = new group of statutes

Red = substantive changes

Blue = policy question/direction to staff needed

Purple = no substantive changes, but substantial revision that should be noted.

Yellow highlight = statute in play in Simms High School technology levy election example

Section No.	MCA Section - Catchline	Summary of revisions	Substantive change in current law
1.	NEW. Purpose.	Umbrella sections - special purpose districts. Establishes statement of purpose for the part in which the new sections will be codified. Sections 1 through 5 (the new part) would apply only to special purpose districts.	X
2.	NEW. Candidate filing deadline – withdrawal of candidacy.	Provides internal references to the controlling statutes in T. 13, ch. 10, pt 2, concerning candidate filing and withdrawal deadlines for primary elections. Applies to special purpose districts only. Canidate filing deadlines for all special purpose district elections would be between 145 days to 85 days before the elections.	X
3.	NEW. Ballot deadlines.	Establishes deadlines for ballot certification and availability for absentee voting for special purpose district elections. Ballots must be certified within 10 days after close of candidate filing to conform with ballot certification deadline for primary elections.	X
4.	NEW. Date special purpose district elections may be held.	Elections must be held on same day as the regular trustee school elections – first Tues. after first Mon. in May. Funding elections could still be held on a special day as a special election. Election could not be held on a primary or general election day. Election may not be less than 85 days after the election is called.	X
5.	NEW. Conduct of elections.	Clarifies that the election must must be conducted as provided in Title 13.	

Section No.	MCA Section - Catchline	Summary of revisions	Substantive change in current law
6.	NEW. Purpose – definition.	Umbrella sections – city or county elections. Establishes a definition of “local government” that <u>excludes</u> special purpose districts and school districts. Sections 6 through 10 apply to these local government elections.	X
7.	NEW. Candidate filing deadline – withdrawal of candidacy.	Candidate filing deadlines for all local government elections would be 145 days to 85 days before the election.	X
8.	NEW. Ballot deadlines.	Absentee ballots must be available 30 days prior to all local government elections. See amendments to 13-13-205 on absentee voting. (Section 170)	X
9.	NEW. Date local government elections may be held.	Elections that are not funding elections must be held on primary or general election day and must be called at least 85 days prior to the election.	X
10.	NEW. Conduct of elections.	Clarifying that local government elections must be conducted in the same manner as other elections.	
11.	3-1-1013. Senate confirmation -- exception -- nomination in the interim -- appointment contingent on vacancy.	Candidate filing. Necessary amendment because of amendments to 13-1-107 that relate to when primary elections are held and ensure a correct internal reference to the appropriate statute concerning candidate filing deadlines. No substantive changes.	
12.	7-1-201. Boards.	Local government – general provisions. This statute is a current an umbrella for all types of special boards that County Commissioners may establish and discusses how they may be established. Amendments provide general clean up and a reference back to [sections 1 through 5] concerning special purpose district elections. No substantive changes.	
13.	7-1-2121. Publication and content of notice -- proof of publication.	This statute currently outlines for local governments (other than municipalities) how public notice must be provided when another statute requires “notice by publication”. An except is required to clarify that that election notices must be as provided in 13-1-108. No substantive changes.	

Section No.	MCA Section - Catchline	Summary of revisions	Substantive change in current law
14.	7-2-2215. Election on question of creating new county -- proclamation and notice.	Clean up and reference back to umbrella sections for local government elections (Sections 6 through 10.) No substantive changes.	
15.	7-2-2604. Consideration of petition -- submission to voters -- <u>withdrawal of signatures</u> .	Counties. Concerns a petition for an election to change the county seat. Amended to provide internal reference back to Sections 6 through 10 on local government elections and for clean up. No substantive changes.	
16.	7-2-2705. Petition to amend proposed consolidation.	Concerns a petition for an election to consolidate counties. Amended to provide consistency with 7-2-2604 concerning petition signatures for an election on changing the county seat. Allows a person to withdraw their signature from a signed petition.	X
17.	7-2-2709. Election on question of abandonment and consolidation.	Concerns an election to abandon and consolidate counties. Amended to provide internal reference back to Sections 6 through 10 and for clean up. No substantive changes.	
18.	7-2-2804. Order for election -- registered electors entitled to vote.	Concerns an election to change the boundary of a county. Amendments provide the election must be conducted in accordance with the umbrella provisions in sections 6 through 10. Substantive change is the election must be called by 85 days before the date of the election instead of by 75 days before.	X
19.	7-2-4104. Election on question of organization.	Municipalities. Concerns election on the incorporation of a municipality. Amended to provide internal reference back to Sections 6 through 10 on local government elections and for clean up. No substantive changes.	
20.	7-2-4106. First election for officers.	Concerns first election of officers for a newly incorporated municipality. Amended to provide internal reference back to Sections 6 through 10 on local government elections and for clean up. No substantive changes.	

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21.	7-2-4314. Hearing on question of annexation -- vote on question of annexation -- resolution of annexation.	Concerns an election on annexation of an area to become part of a city or town. Amended to provide internal reference back to Sections 6 through 10 and for clean up. No substantive changes.	
22.	7-2-4601. Annexation by petition.	Clean up of a a minor inconsistency in language concerning an annexation election for an incorporated city or town. No substantive changes.	
23.	7-2-4602. Election on question of annexation by petition.	Concerns election on annexation of an area to become part of a city or town. Amended to provide internal reference back to Sections 6 through 10 and clean up. No substantive changes.	
24.	7-2-4606. Resolution of annexation.	Clean up of terms. Striking “general or special” election. These terms are bring revised in amendments to Title 13 definitions. No substantive changes.	
25.	7-2-4733. Vote required on proposed capital improvements	Concerns election on capital improvements to annexed areas. Amended to provide internal reference back to Sections 6 through 10. No substantive changes.	
26.	7-2-4902. Disincorporation by election.	Concerns election on disincorporating a city or town. Amended to provide internal reference back to Sections 6 through 10. Clean up for accurate terminology. No substantive changes.	
27.	7-2-4904. Details of election on disincorporation Ballot form.	Concerns election on disincorporating a city or town. Clean up. No substantive changes.	
28.	7-3-103. Amendment of self-government charter or adopted alternative form of government.	Local government. Concerns election on charter or an alternative form of local government. Amended to provide internal reference back to Sections 6 through 10. No substantive changes.	

Section No.	MCA Section - Catchline	Summary of revisions	Substantive change in current law
29.	7-3-125. Petition for alteration.	Concerns election to alter a local form of government. Clean up. No substantive changes.	
30.	7-3-149. Election on alteration of form of government.	Concerns election to alter a local form of government. Amended to provide internal reference back to Sections 6 through 10. Substantive change is to strike specific reference to election being called 75 days before election. Effect is to require call at least 85 days before the election.	X
31.	7-3-155. Three-year moratorium.	Concerns election to alter a local form of government. Clean up. No substantive changes.	
32.	7-3-160. Election of new officials.	Concerns election of new officials after electors have approved a change in the form of a local government. Provides internal reference back to Sections 6 through 10 and primary and general election sections. Also clean up. No substantive changes.	
33.	7-3-173. Establishment of study commissions.	Clean up to coordinate with changes in 7-3-174. No substantive changes.	
34.	7-3-174. Election procedures.	Concerns election on whether to have a study commission examine an alternative form of local government. Provides reference back to Sections 6 through 10, but also provides exceptions to conform with 90 days required by state constitution and requires the election to be on same day as primary. No substantive changes.	
35.	7-3-175. Election on question of establishing study commission <u>Ballot form and question.</u>	Cleanup. Concerns election on whether to have a study commission to consider changing form or local government. No substantive changes.	
36.	7-3-176. Election of commission members – <u>appointments.</u>	Concerns election of study commission members. Inserts reference to Sections 6 through 10 and to primary and general election sections. Strikes specific reference to candidate filing by 75 days before election. Effect is to require candidates file at least 85 days before the election instead of at least 75 days before.	X

Section No.	MCA Section - Catchline	Summary of revisions	Substantive change in current law
37.	7-3-178. Term of office -- vacancies -- compensation.	Clean up. Concerns terms for study commission members. No substantive changes.	
38.	7-3-186. Study commission timetable.	Clean up of reference to a special election. No substantive changes.	
39.	7-3-187. Final report.	Clean up of reference to a special election. No substantive changes.	
40.	Election on recommendation.	Clean up of when election on study commission recommendations must be held. No substantive changes.	
41.	Certification of petition -- board action -- <u>election</u> .	Clean up. Inserts reference to Sections 6 through 10. City-County consolidation option 2. No substantive changes.	
42.	7-3-1206. Form of ballot.	Clean up. City-County consolidation election ballot. No substantive changes.	
43.	7-3-1208. Election of commission upon favorable vote.	Clean up. Inserts reference to Sections 6 through 10. Election of commissioners for consolidated city-county government. No substantive changes.	
44.	7-3-1209. Resolution declaring creation of consolidated government.	Clean up of reference to special election. Consolidated government. No substantive changes.	
45.	7-3-1216. Term of office of commission members.	Clean up of reference to special election. Consolidated government. No substantive changes.	
46.	7-3-1218. Meetings of commission.	Clean up of references to elections. Consolidated government commission meetings. No substantive changes.	
47.	7-3-1219. Organization and officers of commission.	Clean up of reference to general election. Consolidated government commission. No substantive changes.	

Section No.	MCA Section - Catchline	Summary of revisions	Substantive change in current law
48.	7-3-1229. Submission of initiative measure to electors.	Clean up. Inserts reference to Sections 6 through 10. Initiative process for consolidated government. No substantive changes.	
49.	7-3-1231. Action on referendum petition.	Clean up. Inserts reference to Sections 6 through 10. Process concerning petition for referendum under a consolidated government. No substantive changes.	
50.	7-3-1254. Nonpartisan nature of government.	Clean up improper reference to “primary or election laws”. Consolidated government. No substantive changes.	
51.	7-3-1271. General provisions related to elections.	Clean up. Inserts reference to Sections 6 through 10. No substantive changes.	
52.	7-3-4208. Petition to organize under commission form -- election required.	Clean up. Inserts reference to Sections 6 through 10. Municipal Commission Government. No substantive changes.	
53.	7-3-4210. Form of ballot.	Clean up of reference to special election. Municipal Commission Government. No substantive changes.	
54.	7-3-4212. Effect of vote on question.	Clean up of reference to special election. Municipal Commission Government. No substantive changes.	
55.	7-3-4214. First term of office.	Clean up of reference to special election and “regular” election. Municipal Commission Government. No substantive changes.	
56.	7-3-4222. Adoption of ordinances.	Clean up. Inserts reference to Sections 6 through 10. Municipal Commission Government. No substantive changes.	
57.	7-3-4223. Granting of franchises.	Cleanup references to general, primary, and special election. Inserts reference to Sections 6 through 10. Municipal Commission Government.	

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58.	7-3-4305. Petition to organize under commission-manager form -- election required.	Clean up. Inserts reference to Sections 6 through 10. Municipal Commission Government, petition to change to commissioner-manager government. No substantive changes.	
59.	7-3-4307. Form of ballot.	Clean up of reference to special election. Municipal Commission Government, ballot for election to change to commissioner-manager government. No substantive changes.	
60.	7-3-4309. Effect of vote on question of organization.	Clean up of reference to special election. Municipal Commissioner-Manager government. No substantive changes.	
61.	7-3-4310. Special election <u>Election for municipal officers.</u>	Clean up of reference to special election. Insert reference to Section 6 through 10. Changes election notice requirements to conform with Section 13-1-108. Municipal Commissioner-Manager government.	X
62.	Procedure for multimunicipality organization <u>organizing a municipality – election – elector qualifications.</u>	Clean up of references to when election held for organizing a municipality. Inserts references to Sections 6 through 10. Conforms election notice requirements to Section 13-1-108, so eliminates requirement to post notice in 6 public places.	X
63.	7-3-4316. Term of office for commissioners.	Clean up of reference to special election. Municipal Commission-manager government. No substantive changes.	
64.	7-3-4319. Designation of mayor.	Clean up of reference to “regular” election. Municipal Commission-manager government. No substantive changes.	
65.	7-3-4322. Meetings of commission.	Clean up of reference to “regular” election. Municipal Commission-manager government. No substantive changes.	
66.	7-3-4462. Office of city judge.	Clean up of reference to “regularly scheduled” election. Municipal Commission-manager government. No substantive changes.	

Section No.	MCA Section - Catchline	Summary of revisions	Substantive change in current law
67.	7-5-132. Procedure for initiative of referendum election.	Concerns local gov't ordinances. This section overlaps with 7-5-136, about submission of ordinances to electors. 7-5-136 would be repealed and its substantive portions incorporated into this section. Inserts reference to Sections 6 through 10. No substantive changes.	
68.	7-5-4321. Grant of exclusive franchise -- election required.	Concerns municipal contracts and franchises. Cleanup of reference to "regular or primary" election. Inserts reference to Sections 6 through 10. No substantive changes.	
69.	7-5-4322. Election on question of granting franchise.	Concerns municipal contracts and franchises. Clarifies public notice. No substantive changes.	
70.	7-6-1501. Resort tax -- definitions Definitions.	Resort district. A resort tax part will be established through codification instructions. This section will be definitions to apply to the part. Inserts definitions taken from other sections so the definitions can be consolidated within this one definition section. No substantive changes.	
71.	7-6-1502. Resort community taxing authority -- specific delegation.	Inserts "qualified" before "elector" for proper usage of the defined term "qualified elector". No substantive changes.	
72.	7-6-1504. Resort tax -- election required - - procedure -- notice.	Inserts "qualified" before "elector" for proper usage of the defined term "qualified elector". Inserts reference to new special district election statutes in Title 13 - Sections 1 through 5. Conforms public notice provisions with umbrella provisions in 13-1-108.	X
73.	7-6-1505. Resort tax administration.	Inserts "qualified" before "elector" for proper usage of the defined term "qualified elector". No substantive changes.	
74.	7-6-1506. Use of resort community tax revenue -- bond issue -- pledge.	Clean up. "resort area district" is now a defined term applicable to entire part. Don't need internal reference to definition section. No substantive changes.	

Section No.	MCA Section - Catchline	Summary of revisions	Substantive change in current law
75.	7-6-1508. Establishment of a resort area -- taxing authority -- approval by <u>qualified</u> electorate.	Clean up. Also inserts “qualified” before “elector” for proper usage of the defined term “qualified elector”. No substantive changes.	
76.	7-6-1509. Use of resort area tax.	Inserts “qualified” before “elector” for proper usage of the defined term “qualified elector”. No substantive changes.	
77.	7-6-1532. Resort area district authorized.	Inserts “qualified” before “elector” for proper usage of the defined term “qualified elector”. Fixes internal reference because 7-6-1531 is repealed. No substantive changes.	
78.	7-6-1533. Petition to create resort area district.	Clean up to ensure proper use of “qualified elector” as defined term. No substantive changes.	
79.	7-6-1535. Resort area district -- hearing on petition.	Fixes internal reference because 7-6-1531 is repealed. No substantive changes.	
80.	7-6-1536. Resort area district -- election required -- notice.	Fixes internal reference because 7-6-1531 is repealed. Inserts reference to Sections 1 through 5, strikes redundant or conflicting language. Effect is to change election date to regular school election day instead of with primary or general election.	X
81.	7-6-1541. General powers of resort area district.	Strikes internal references not needed because “resort area district” is defined for the part. and replaces with correct internal reference. Inserts reference to Sections 1 through 6. Ensures proper usage of “qualified elector” defined term. Strikes reference to repealed section, 7-6-1531. No substantive changes.	

Section No.	MCA Section - Catchline	Summary of revisions	Substantive change in current law
82.	7-6-1542. Resort area district board powers related to administration and expenditure of resort tax revenue -- authorization to issue bonds -- <u>election --</u> restrictions.	Clean up. Inserts reference to Sections 1 through 5 for election concerning bond issue. No substantive changes.	
83.	7-6-1543. Resort area district to be governed by board -- composition -- qualifications -- term of office.	Clean up reference to “regular” election. No substantive changes.	
84.	7-6-1544. Resort area district board — term. election — term.	Insert references to appropriate new sections on special district elections within Sections 1 through 6. Effect is to change candidate filing deadlines to between 145 days to 85 days before election and require election to be on regular school election day. Strikes redundant language on terms.	X
85.	7-6-1546. Resort area district board -- vacancy.	Inserts reference so election for board members is conducted as provided in Sections 1 through 5; clarifies that an appointed member must stand for election as soon as possible. No substantive changes.	
86.	7-6-1548. Referendum to dissolve resort area district.	Inserts “qualified” before elector to use defined term. States referendum must be conducted in accordance with Sections 1 through 5. No substantive changes.	
87.	7-6-1551. Annexation of property into a resort area district -- <u>election</u>	States election on annexation must be held in accordance with New Sections 1 through 5. Strikes language about qualifications of voters because it will use the defined term of “qualified elector”. Substantive change from the election having to be held on the primary or general election day. Election will now have to be on the school election day.	X

Section No.	MCA Section - Catchline	Summary of revisions	Substantive change in current law
88.	7-7-2223. Election required for issuance of certain bonds.	Part 22 deals with county bonds. Requires the election on issuance of certain county bonds be conducted in accordance with 1. Substantive changes to allow the election to be held on a regular school election day or on a special day rather than only on a primary or general election day.	X
89.	7-7-2227. Examination of petition – resolution calling for election.	Clean up to conform with previous changes. No substantive changes.	
90.	7-7-2229. Notice of election.	Strikes language that overlaps with 13-1-108, which standardizes notice provisions for political subdivision elections. Strikes requirement of providing “separate notice of a bond election.” Retains requirements that notice include the amount and purpose of the bond and other details.	X
91.	7-7-2237. Percentage of electors required to authorize bond issue.	Strikes election language that is redundant, inserts reference back to 7-7-2223, which has the election provisions. No substantive change.	
92.	7-7-2404. Notice of election.	Part 24 concerns loans for counties. Requires election notice to be done in accordance with 13-1-108. No Substantive change.	
93.	7-7-2405. Form of ballots.	Updates language. No substantive change.	
94.	7-7-2406. Conduct of election and canvass of results.	Updates language. Reference inserted to New Sections 6 through 10. No substantive change.	
95.	7-7-4226. Resolution to submit question of issuing bonds to voters.	Part 42 deals with municipal bonds. Requires election to be conducted in accordance with Sections 5 through 10. Substantive change is that the election is not restricted to next primary or general election day. Governing body can decide when to hold election.	X

Section No.	MCA Section - Catchline	Summary of revisions	Substantive change in current law
96.	7-7-4227. Notice of election.	Ensures notice of election is as provided in 13-1-108. Change is that it strikes requirement for “separate notice”. Strikes discretionary language about posting notice in each precinct at least 10 days prior to election, which is unnecessary language because nothing would prohibit this anyway.	X
97.	7-7-4235. Percentage of electors required to authorize issuing of bonds.	Strikes redundant language about conduct of election which is already in 7-7-4226. No substantive change.	
98.	7-7-4426. Authorization for undertaking and issuance of bonds.	Part 44 concerns municipal revenue bonds. Election must be conducted in accordance with [sections 6 through 10]. Substantive change is that a mail ballot election is not required and election may be held at any time, not necessarily on same day as primary or general election.	X
99.	7-8-4201. Disposal or lease of municipal property -- <u>election</u> .	Municipal. Election must be held in accordance with [sections 6 through 10]. Substantive change is that election may be held at any time instead of only on same day as primary or general election.	X
100.	7-10-101. Regional resource authorities -- purpose -- <u>definition of qualified elector</u> .	Regional resource authorities. Clean up to defined “qualified elector”. No substantive changes.	
101.	Authorization <u>Petition</u> to create or expand regional resource authorities.	Clean up to use definition of “qualified elector”. No substantive changes.	
102.	7-10-104. Regional resource authority or expansion -- election required -- notice.	Inserts reference back to New Sections 1 through 5. Substantive change is to require election to be held on same day as school election rather than on same day as a primary or general election.	X

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103.	7-10-110. Governing body of regional resource authority -- <u>initial appointment -- subsequent election.</u>	Inserts reference back to New Sections 1 through 5. Substantive change is that election after initial appointment must be held on same day as school election. Current statute does not specify the election day.	X
104.	7-11-1011. Referendum -- <u>conduct of election on creating special district.</u>	Special districts. Statute applies to all “special districts” as listed in 7-11-1002. Requires election to be in accordance with New Sections 1 through 5]. Substantive change is that the election must be held on school election day rather than on same day as primary or general election or as a special mail ballot election.	X
105.	7-11-1012. Certificate of establishment.	Simple change to internal reference needed due to amendment in 7-11-1011. No substantive changes.	
106.	7-12-4243. Procedure to create and maintain supplemental revolving fund -- <u>election required -- qualified electors defined.</u>	Business improvement districts. Substantive change is to require the election to be held on same day as school election rather than on primary or general election day.	X
107.	7-13-2201. Definitions.	County water and/or sewer districts. Clean up and addition “qualified elector” definition. No substantive changes.	
108.	7-13-2204. Petition to create water and/or sewer district.	Clean up to properly used defined term of “qualified elector” . No substantive changes.	
109.	7-13-2208. Decision on petition -- election required -- exception.	Requires election on incorporation of county water and/or sewer district be held in accordance with [section 6 through 10]. Substantive change is the election must be on school election day rather than on primary or general election day or as a special mail ballot day. May still be a mail ballot on school election day.	X

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110.	7-13-2210. Notice of election.	Clean up of internal reference and language. No substantive changes.	
111.	7-13-2211. Conduct of election on <u>Ballot question of for</u> creating district.	Clean up. No substantive changes.	
112.	7-13-2212. Qualifications to vote on question of creating district.	Clean up concerning qualifications to vote. Substantive change is proof of registration 40 days prior to election no longer required because statewide voter registration data base provides proof of Montana voter registration. Clarifies who may vote on behalf of a coroporation by inserting language from a section that will be repealed, 7-13-2254. Section 7-13-2255 on nonresident property owners will be repealed because it is covered in this section. Elector need not reside in district if registered to vote in Montana and owns taxable property in the district.	X
113.	7-13-2214. Order creating district upon sufficient favorable vote.	Strikes redundant language about elector qualifications. Clean up. No substantive changes.	
114.	7-13-2217. General powers of water and/or sewer district.	Changes required to update internal references. No substantive changes.	
115.	7-13-2222. Applicability of general election laws.	Inserts reference to New Sections 1 through 5. No substantive changes.	
116.	7-13-2225. Combination of elections.	Clean up and use defined term of "qualified elector". No substantive changes.	
117.	7-13-2231. District to be governed by board of directors.	Clean up. No substantive changes.	

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118.	7-13-2234. Term of office.	Clean up. No substantive changes.	
119.	7-13-2241. Filing of petition Petition of nomination.	Clean up and insertion of language from a statute that will be repealed. Substantive change is time period for filing a petition of nomination will be 145 days to 85 days before the election rather than 135 days to 75 days before the election.	X
120.	7-13-2261. Recall of officers.	Use defined term of "qualified elector". No substantive changes.	
121.	7-13-2262. Insufficient candidates -- vacancies on board of directors -- appointment of entire board.	Clean up. No substantive changes.	
122.	7-13-2271. Organization of board of directors.	Clean up. No substantive changes.	
123.	7-13-2272. Duties of board president.	Use defined term of "qualified elector". No substantive changes.	
124.	7-13-2273. Compensation of members of board -- approval by voters of district.	Clean up and use defined term of "qualified elector". Language about conduct of election not needed because of 7-13-2222 (see Section 115) No substantive changes.	
125.	7-13-2276. Right of initiative and referendum.	Clean up and use defined term of "qualified elector".	
126.	7-13-2321. Procedure to incur bonded indebtedness.	Use defined term of "qualified elector". No substantive changes.	

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127.	7-13-2323. Election on question of incurring bonded indebtedness.	Clean up. Language about conduct of election not needed because of 7-13-2222 (see Section 115) No substantive changes.	
128.	7-13-2324. Notice of election on incurring bonded indebtedness.	Clean up internal reference to 13-1-108. Do not want to use word "published". No substantive changes.	
129.	7-13-2328. Sufficient vote required to issue bonds.	Strikes language that is unnecessary because "qualified elector" will be defined term. No substantive changes.	
130.	7-13-2333. Issuance of revenue or special assessment bonds without election.	Clean up and use defined term of "qualified elector". No substantive changes.	
131.	7-13-2341. Addition of land to district -- election required	Language about conduct of election not needed because of 7-13-2222 (see Section 115). Use defined term of "qualified elector". No substantive changes.	
132.	7-13-2342. Consolidation of county water and/or sewer districts -- <u>election required.</u>	Language about conduct of election not needed because of 7-13-2222 (see Section 115). Use defined term of "qualified elector". Substantive change is to conform with new requirement for elections to be held no earlier than 85 days after the call of the election, so strikes ability for election to be called within 70 days of the election.	X
133.	7-13-2352. Dissolution of district by special election.	Deletes reference to "special" election because of redefinition of "special election" in 13-1-101 (see Section 155). Language about conduct of election not needed because of 7-13-2222 (see Section 115). No substantive changes.	
134.	7-13-4204. Rental charges for use of sewer system -- election required.	Public sewer systems. Qualified electors is not defined for this part so need to clarify the language about who is eligible to vote. Inserts reference to conduct of election being in accordance with [sections 1 through 5]. Substantive change is that election must be held on school election day.	X

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135.	7-13-4511. Sufficient protest to require referendum.	Municipal sewage and/or water systems. Section allows owners to petition for an election. Use “elector” to mean person qualified to vote and “voter” as a person who actually votes. Insert reference to election being conducted in accordance with [sections 1 through 5].]. Substantive change is that election must be held on school election day.	X
136.	7-13-4512. Referendum.	Section allows commissioners to pass a resolution calling for an election. Use “elector” to mean person qualified to vote and “voter” as a person who actually votes. Insert reference to election being conducted in accordance with [sections 1 through 5]. Substantive change is that election must be held on school election day.	X
137.	7-13-4535. Referendum to abolish local water quality district or joint local water quality district -- termination procedures.	Section allows owners to petition for an election. Use “elector” to mean person qualified to vote and “voter” as a person who actually votes. Insert reference to election being conducted in accordance with [sections 1 through 5]. Substantive change is that election must be held on school election day.	
138.	7-14-210. Election on question of creating urban transportation district or addition to a district.	Urban transportation districts. Insert reference to election being conducted in accordance with [sections 1 through 5]. Substantive change is that election must be held on school election day.	X
139.	7-14-211. Conduct of election on question of creating district <u>Ballot form.</u>	Strikes redundant language on conduct of election. Clean up on ballot form language. No substantive changes.	
140.	7-14-212. District to be governed by transportation board -- <u>election of board.</u>	Inserts reference to [sections 1 through 5]. Substantive change is that election must be held on school election day. Strikes language that implies a primary election is required.	X

Section No.	MCA Section - Catchline	Summary of revisions	Substantive change in current law
141.	7-14-1106. Election of local port authority commissioners.	Port authorities. Inserts reference to [sections 1 through 5]. Substantive change is that election must be held on school election day and candidate filing petitions will have to be 145 days to 85 days before instead of 75 days before.	X
142.	7-14-1134. Method of funding deficiency -- <u>election required.</u>	Inserts reference to [sections 1 through 5]. Replaces references to Title 7, chapter 7 elections, which were amended to also reference [sections 1 through 5]. No substantive changes.	
143.	7-14-1633. Election required to impose mill levy.	Railway authorities. Inserts reference to [sections 1 through 5]. Replaces generic reference to general election laws. No substantive changes.	
144.	7-14-2507. Qualifications to vote on mill levy question of additional mill levy.	Municipal parking. Clean up language about who is eligible to vote in municipal parking elections. Fixes internal reference. Substantive change is to strike requirement for proof of registration by 20 days prior to the election. Would also disallow a special election.	X
145.	7-14-4512. Referendum on parking meters prior to enacting ordinance.	Substantive change is that, unless the election concerns an ordinance on funding of parking meters, an election on a parking meter ordinance must be held on same day as a primary or general election (i.e., not as a special election).	X
146.	7-14-4642. Election required to issue revenue bonds.	Inserts reference to [sections 1 through 5]. Substantive change is to allow the election to be called for a special day rather than having to be held on a primary or general election day, because it is a funding election.	X
147.	7-16-2102. Authorization for tax levy for parks and certain cultural, social, and recreational facilities.	Counties – culture, social services and recreation. Strikes references to general election. Election would be conducted as provided in 15-10-425 (see Section 178). Substantive change is that the election could be held as a special election, or an election held in conjunction with the primary or general, not just during a general election.	X

Section No.	MCA Section - Catchline	Summary of revisions	Substantive change in current law
148.	7-16-2109. Single assessment for county fair activities, county parks, and certain cultural, social, and recreational facilities -- restriction.	Strikes references to general election. Election would be conducted as provided in 15-10-425 (see Section 178). Substantive change is that the election could be held as a special election, or an election held in conjunction with the primary or general, not just during a general election.	X
149.	Details relating to board of trustees of fire district -- <u>election -- qualified electors.</u>	Rural fire districts. Substantive change of candidate filing deadline from 75 days before the election to from 145 days to 85 days before the election. Requires election to be held on school election day. Current law requires signatures from 5 qualified electors to file as a candidate.	X
150.	7-34-2110. Resolution calling for election.	Hospital districts. Substantive change is to require election on whether to create a hospital district to be held on school election day rather than on primary or general election day.	X
151.	7-34-2112. Conduct of election on question of creating district Ballot form.	Strikes redundant language so section applies only to ballot form for election to create a hospital district. No substantive changes.	
152.	7-34-2117. Procedure for conduct of election for trustees -- appointment of trustees.	Concerns trustee election. Substantive change of candidate filing deadline from 75 days before the election to from 145 days to 85 days before the election. Requires election to be held on school election day. Current law requires signatures from 5 qualified electors to file as a candidate.	X
153.	13-1-101. Definitions.	Title 13 begins. Rewrites definitions for “federal election”, “general” or “regular election”, “primary election”, and “special elections”. Creates definitions for “regular school election” and “special purpose district”. No substantive changes.	
154.	13-1-104. Times for holding general elections.	Revises language for when a general election is to be held. No substantive changes.	

Section No.	MCA Section - Catchline	Summary of revisions	Substantive change in current law
155.	13-1-106. Time of opening and closing of polls for all elections -- exceptions.	Internal reference clean up. No substantive changes.	
156.	13-1-107. Times for holding primary elections -- cost of municipal election.	Language clean up. No substantive changes.	
157.	13-1-108. Notice of special political subdivision elections.	Substantive change. Broadens application of this section on election notice to encompass and update current practices, which results in expansion of time frame for notice of school district elections from between 30 and 20 days to between 40 and 10 days (see 20-20-204). However, special language concerning what must be included in the notice for certain elections will not be stricken in the specific statutes, so those provisions will not change.	X
158.	13-1-301. Election administrator.	Strikes redundant language. No substantive change.	
159.	13-1-401. <u>School district and political subdivision election cooperation</u>	Revises and updates language for clarity. No substantive changes.	
160.	13-2-304. Late registration -- late changes -- nonapplicability for school elections.	Substantive change is that late voter registration would apply to school elections.	X
161.	13-3-202. Definitions.	Updates internal references that changed due to other changes in the bill. No substantive changes.	
162.	13-10-201. Declaration for nomination -- term limitations.	Substantive change is that candidate filing deadlines will be 145 to 85 days before the election irrespective of whether it is a federal election year.	X

Section No.	MCA Section - Catchline	Summary of revisions	Substantive change in current law
163.	13-10-208. Certificate of primary ballot -- preparing ballot.	Replaces specific time frame for ballot certification with general 10-day time framed coordinated with candidate filing deadline. No substantive change.	
164.	13-10-209. Arrangement and preparing of primary ballots.	Strikes internal reference, updates language.	
165.	13-10-211. Declaration of intent for write-in candidates.	Strikes language concerning mail ballot school elections that will be inserted into 20-3-305.	
166.	13-10-325. Withdrawal from nomination.	Coordinates withdrawal deadline with ballot certification deadline.	
167.	13-10-326. Vacancy prior to primary election.	Coordinates vacancy provisions prior to primary election with ballot certification deadline.	
168.	13-10-405. Submission and verification of petition.	Updates internal reference.	
169.	13-12-201. Secretary of state to certify ballot.	Replaces term "federal general" with "any statewide" election to coordinate ballot certification deadline with substantive change in candidate filing deadlines.	
170.	13-13-205. When ballots to be available.	Revises convoluted language to provide more clarity concerning absentee ballots. Substantive change is that availability will be based on whether the election is a local government, special purpose district, statewide, or federal election rather than on whether the election is held in an odd or even-numbered year, involves a multi-county district, or an annual election of officers.	X
171.	13-14-112. Declarations for nomination -- fee -- filing.	Updates internal references.	

Section No.	MCA Section - Catchline	Summary of revisions	Substantive change in current law
172.	13-14-113. Filing for offices without salary or fees.	Updates internal references.	
173.	13-14-115. Preparation and distribution of nonpartisan primary ballots -- determination on conducting primary.	Updates internal reference.	
174.	13-15-206. Counting votes -- uniformity -- rulemaking -- definitions.	Updates internal reference.	
175.	13-19-202. Initiation by governing body.	Current law requires governing body to request a mail ballot election no later than 70 days before an election. This deadline works in conjunction with 13-19-205, which required a written plan for a mail ballot election be submitted to the SOS at no later than 60 days before the election. Should these deadlines be coordinated with the dead line for calling an election (i.e. 85 days before the election)? This would also affect the school district election deadline of 20-20-201, which as drafted in the current bill, would be 70 days before the election rather than the 85 days for other elections.	
176.	13-19-205. Written plan for conduct of election -- amendments -- approval procedures.	See comments in section above. Plus, this section states that SOS has 5 days to approve the plan and that the plan may be amended up to 35 days before the election.	
177.	13-19-207. When materials to be mailed.	Updates internal reference.	

Section No.	MCA Section - Catchline	Summary of revisions	Substantive change in current law
178.	13-35-107. Voiding election.	Substantive change. Coordinates when a special election may be held after an electino is voided with candidate filing deadline so election may hot be called less than 85 days before the election date.	X
179.	13-37-126. Names not to appear on ballot.	Revises convoluted language to conform with other changes in the bill concerning ballot certification deadlines, which were substantively changed.	X
180.	15-10-425. Mill levy election.	Property tax levies. Conforms how and when a property tax levy elections may be conducted with the umbrella statutes.	X
181.	15-65-101. Definitions.	Lodging tax. Updates internal reference.	
182.	16-4-420. Restaurant beer and wine license.	Beer and wine license. Updates internal reference.	
183.	20-1-101. Definitions.	Title 20 – School statutes begin. Creates definitions for “regular school election” and “school election” and “special school election” to add clarity to school election statutes. Substantative change is that a special school election is an election on a day other than the primary, general, or regular school election.	X
184.	20-3-202. Term, oath, and vacancy.	Adds language to clarify when term of office starts for county superintendents. Conforms with changes made in prior session.	
185.	20-3-301. Election and term of office.	Coordinates section with the trustee election statute on the regular school election day.	
186.	20-3-305. Candidate qualification, nomination, and withdrawal.	Substantative change. Sets trustee candidate filing deadline to between 145 days 85 days before the election rather than allowing filing up to 40 days before the election. Clean up to insert write-in candidate provision that was stricken from 13-10-211 (see section 165) Coordinates candidate withdrawal with ballot certification deadline.	X
187.	20-3-307. Qualification and oath.	Inserts “school” to use defined term “regular school election”	

Section No.	MCA Section - Catchline	Summary of revisions	Substantive change in current law
188.	20-3-313. Election by acclamation -- notice.	Update of internal references. Substantive change requiring trustees to give notice of a canceled election and election by acclamation no later than 30 days before the election rather than no later than 25 days before. (Compromise between county election administrators and OPI stakeholders who participated in the working group discussions.)	X
189.	20-3-321. Organization and officers.	Inserts "school" to use defined term "regular school election"	
190.	20-3-337. Plan for creating single-member trustee districts -- petition election.	Strikes unneeded internal reference because "regular school election" is defined term.	
191.	20-3-338. Trustees elected by single-member district.	Inserts "school" to use defined term "regular school election"	
192.	20-3-341. Number of trustee positions in elementary districts -- transition.	Inserts "regular" to use defined term "regular school election".	
193.	20-3-344. Nomination of candidates by petition in first-class elementary district.	Conforms candidate filing deadline to between 145 days and 85 days, change from not less than 40 days before election.	X
194.	20-9-426. Preparation and form of ballots for bond election.	Inserts "regular" to use defined term "regular school election".	
195.	20-9-428. Determination of approval or rejection of proposition at bond election.	Clarifies terminology concerning primary, general, and mail ballot election.	

Section No.	MCA Section - Catchline	Summary of revisions	Substantive change in current law
196.	20-9-471. Issuance of obligations -- authorization -- conditions.	Deletes inaccurate terminology concerning regular or special election.	
197.	20-15-203. Call of community college district organization election -- proposition statement.	Community colleges. Changes deadline for calling a community college district election to no less than 85 days before the election instead of 60 days before, for consistency with changes elsewhere, including candidate filing in other elections.	X
198.	20-15-206. Nomination of candidates and provision of sample ballot.	Strikes language concerning nominations that is already contained in 20-15-219. See section 199. Change is that it eliminates requirement for nominating petitions to be filed with the Board of Regents at least 30 days prior to the election because the provision seems to conflict with 20-15-219 and be unnecessary. But, is it important that statute specify that the Regents get copies of the nominating petitions and when? Also, current law requires nomination by 5 qualified electors signing the petition of nomination. Still OK?	X
199.	20-15-207. Notice of organization election.	Conforms election notice requirements for community college elections to 13-1-108.	X
200.	20-15-208. Conduct of election.	Inserts a missing internal reference concerning request for county election administrator to conduct a school election. Does the committee want to revisit having the county election administrator conduct all community college district elections?	
201.	20-15-219. Qualifications for office of trustee -- nominating petitions.	Conforms candidate filing deadline from at least 40 days before the election to between 145 and 85 days before.	X

Section No.	MCA Section - Catchline	Summary of revisions	Substantive change in current law
202.	20-15-221. Election of trustees after organization of community college district.	Updates internal reference to regular school election day. Conforms section to changes concerning candidate filing deadlines, election notice provisions, and changes deadline for transmitting the order for the college district trustee election from no less than 40 days before the election to not less than 85 days before the election. But, does 85 days work?	X
203.	20-15-222. Results of election -- qualifying oath -- term of office.	Inserts "school" to use defined term "regular school election".	
204.	20-15-224. Board of trustees -- organization, meetings, quorum, mileage, and seal.	Inserts "school" to use defined term "regular school election".	
205.	20-20-105. Regular school election day and special school elections -- limitation -- exception.	Fixes subsection outlining and terminology concerning special elections.	
206.	20-20-106. Poll hours.	Updates internal references.	
207.	20-20-201. Calling of school election.	Strikes unnecessary language. Changes deadline for calling a school election from at least 40 days before the election to 70 days before. Changes deadline for transmitting resolution to the county election. See the bill draft.	X
208.	20-20-204. Election notice.	Conforms notice of school elections to 13-1-108 but continues to require posting in public places. Effect of change is that school election notice will be between 40 and 10 days instead of 30 and 20 days.	X
209.	20-20-311. Closure of Voter registration.	Conforms section with change in Title 13 that requires all school elections, not just school elections conducted by county election administrators, to allow late voter registration.	X

Section No.	MCA Section - Catchline	Summary of revisions	Substantive change in current law
210.	20-20-312. Listing of registered electors -- late registration	Conforms section with changes made concerning late voter registration.	X
211.	20-20-401. Trustees' election duties -- ballot certification.	Changed deadline for certifying names of candidates on ballot from 25 before election to 30 days before. Section requires absentee ballots to be available 20 days before. See changes to 13-13-205 (Section 170)	
212.	20-20-417. Request for county election administrator to conduct election.	Requires trustees to state in a resolution that requests the county election administrator to conduct the election whether they are also requesting the election be conducted by mail ballot, which is consistent with the mail ballot election statute concerning governing body requesting mail ballot election. Inserts internal reference and inserts clean up language for clarity.	X
213.	22-1-304. Tax levy -- special library fund - - bonds.	Library district. Changes the deadline for calling a library district levy election from 75 days before the election to 90 days before. Should the deadline for calling a special district, local government election, or school district election also be 90 days, or remain at 85 days and 70 days respectively?	X
214.	22-1-703. Election on creation of district.	Inserts reference to [sections 1 through 5] for conduct of election. Election must be on regular school election day.	X
215.	22-1-706. Election of board of trustees -- compensation -- removal -- single-member trustee districts.	Inserts reference to [sections 1 through 5] for conduct of election. Changes candidate filing deadline to conform with 145 days and 85 days before the election. Current law requires nomination by at least 5 qualified electors.	X
216.	22-1-708. Public library district budget -- property tax levy.	Internal reference clarification.	
217.	22-1-709. Election to change maximum property tax mill levy.	Inserts reference to [sections 1 through 5], so allows library district levy election to be held as on a school election day or special day, not only on a primary or general election day.	X

Section No.	MCA Section - Catchline	Summary of revisions	Substantive change in current law
218.	22-1-710. Dissolution of public library district.	Inserts reference to [sections 1 through 5], so allows dissolution election to be held as on a school election day or special day, not only on a primary or general election day.	X
219.	76-5-1106. Requirements to change project boundaries -- <u>election.</u>	Inserts reference to [sections 1 through 5], so allows boundaryj change election to be held as on a school election day or special day, not only on a primary or general election day.	X
220.	76-15-302. Nominations for supervisor candidates.	Conservation districts. Fixes internal reference. Conforms candidate filing deadline to between 145 days and 85 days instead of within 30 days after the conservation district is organized. Nominating petitions must be signed by at least 10 qualified electors. Eliminates language allowing a primary election for nomination.	X
221.	76-15-303. General election Election of supervisors -- election by acclamation -- appointment.	Clean up of “general election” terminology and conforms section with [sections 1 through 5]. Election must be held on regular school election day.	X
222.	76-15-305. Transition to seven supervisors.	Clean up of “general election” terminology and strike redundant language about terms. See section 76-15-312.	
223.	76-15-312. Term of office and vacancies.	Clean up and conform section with [sections 1 through 5].	
224.	76-15-506. Bonds authorized -- election.	Clean up and conform section with [sections 1 through 5]. Election may be set on a special day rather than having to be on primary or general election day.	X
225.	76-15-605. Board decision.	Conform election on a project area to [sections 1 through 5]. Election must be on regular school election day.	X
226.	85-7-1702. Election or appointment of commissioners -- term of office.	Irrigation districts. Clean up and conform section with [sections 1 through 5]. Election must be on regular school election day. Current law requires a least 5 qualified electors sign a the nomination petition for candidate for district commissioners.	X

Section No.	MCA Section - Catchline	Summary of revisions	Substantive change in current law
227.	85-7-1712. Special elections Call for an election.	Conform section with [sections 1 through 5]. Must be called at least 85 days before election. Strike "special election" terminology that is no longer appropriate.	X
228.	85-7-1837. Limitation on irrigable acreage -- special election or petition.	Strike "special election" terminology that is no longer appropriate.	
229.	85-7-1974. Majority vote or petition necessary to contract with the state.	Conform section with [sections 1 through 5]. Election must be held on regular school election day.	X
230.	85-7-2013. Majority vote and petition requirements.	Conform section with [sections 1 through 5]. Election must be held on regular school election day.	X
231.	85-8-302. Election of commissioners -- regular term of office.	Drainage districts. Fix internal references; clean up and conform section with [sections 1 through 5]. Election must be held on regular school election day.	X
232.	85-8-306. Nominations.	Conforms nomination petition deadline to between 145 days and 85 days. Current law requires nomination by at least 5 electors.	X
233.	85-8-624. Assessments on improvements -- taxpayers' approval, limitations, and election procedures.	Conforms section with [sections 1 through 5]. Election may be a special election. Updates internal reference to election notice under 13-1-108. Current law uses assessment rolls to determine eligibility to vote, so prohibits use of voter registration lists.	X
234.	85-9-103. Definitions.	Conservancy districts. Strikes notice definition that conflicts with 13-1-108. Provisions that require notice of a hearing will be standardized via internal reference to Title 7.	X
235.	85-9-203. Hearing by department.	Clean up and update of internal references.	

Section No.	MCA Section - Catchline	Summary of revisions	Substantive change in current law
236.	85-9-206. Court hearing on petition - election -- limits on court jurisdiction.	Conforms section to [sections 1 through 5]. Election must be on regular school election day.	X
237.	85-9-302. Dissolution election.	Conforms section to [sections 1 through 5]. Election must be on regular school election day.	X
238.	85-9-408. Contracts and agreements by directors.	Conforms section to [sections 1 through 5]. Election must be on regular school election day.	X
239.	85-9-501. Merger of districts.	Conforms section to [sections 1 through 5]. Updates internal reference to notice provisions. Election must be on regular school election day.	X
240.	85-9-602. Notice of public budget hearing.	Updates internal reference concerning hearing notice.	
241.	85-9-623. Issuance of bonds -- resolution and election.	Conforms section to [sections 1 through 5]. Updates internal reference to hearing notice provisions. Election may be a special election.	X
242.	Repealer.	Repeals sections that are no longer necessary.	
243.	Codification instructions.	Provides instructions about where new sections are to be codified and about a section that needs to be renumbered.	
244.	Effective date?	No effective date specified so effective date will be Oct. 1, 2015.	