

1 _____ BILL NO. _____

2 INTRODUCED BY _____

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4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO ELECTIONS FOR PRECINCT
5 COMMITTEE REPRESENTATIVES; PROVIDING THAT ONLY CONTESTED RACES FOR MALE OR
6 FEMALE COMMITTEE REPRESENTATIVES NEED TO BE ON THE PRIMARY BALLOT; AND AMENDING
7 SECTION 13-38-201, MCA."

8

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

10

11 **Section 1.** Section 13-38-201, MCA, is amended to read:

12 **"13-38-201. Election or appointment of committee representatives at primary -- vacancies -- tie**
13 **votes.** (1) Each political party shall appoint or elect at each primary election one person of each sex, as defined
14 in 1-1-201, to serve as committee representatives for each election precinct. The committee representatives
15 must be residents and registered voters of the precinct.

16 (2) If a political party chooses to appoint precinct committee representatives, the political party
17 shall make the appointments as provided in the party's rules.

18 (3) If a political party chooses to elect precinct committee representatives, the party may:

19 (a) administer the election itself as provided in the party's rules; or

20 (b) elect precinct committee representatives in a primary election, subject to 13-10-209 and
21 subsection (4) of this section.

22 (4) In a primary election for a precinct committee representative:

23 (a) (i) if the number of candidates nominated for a party's precinct ~~committee representatives~~ male
24 committee representative is less than or equal to the number of positions to be elected, the election
25 administrator may give notice that a party's precinct ~~committee~~ male committee representative election ~~will~~ may
26 not be held in that precinct; and

27 (ii) if the number of candidates nominated for a party's precinct female committee representative is
28 less than or equal to the number of positions to be elected, the election administrator may give notice that a

1 party's precinct female committee representative election may not be held in that precinct;

2 (b) if a party precinct committee election is not held pursuant to subsection (4)(a), the election
3 administrator shall declare elected by acclamation the candidate who filed for the position or who filed a
4 declaration of intent to be a write-in candidate. The election administrator shall issue a certificate of election to
5 the designated party.

6 (c) write-in votes for a precinct committee representative may be counted as specified in 13-15-
7 206(5) only if the individual whose name is written in has filed a declaration of intent as a write-in candidate by
8 the deadline prescribed in 13-10-211(1);

9 (d) in the case of a tie vote for a precinct committee representative position, the county central
10 committee shall determine a winner.

11 (5) Pursuant to 13-38-101, a vacancy in a precinct committee representative position must be filled
12 by the party governing body as provided in its rules."

13 - END -