



1 name;

2 (b) the candidate's mailing address;

3 (c) a statement declaring the candidate's intention to be a write-in candidate;

4 (d) the title of the office sought;

5 (e) the date of the election;

6 (f) the date of the declaration; and

7 (g) the candidate's signature.

8 (2) A declaration of intent may be filed after the deadline provided for in subsection (1) but no later  
9 than 5 p.m. on the day before the election if, after the deadline prescribed in subsection (1), a candidate for the  
10 office that the write-in candidate is seeking dies or is charged with a felony offense and if the election has not  
11 been canceled as provided by law.

12 (3) The secretary of state shall notify each election administrator of the names of write-in  
13 candidates who have filed a declaration of intent with the secretary of state. Each election administrator shall  
14 notify the election judges in the county or district of the names of write-in candidates who have filed a  
15 declaration of intent.

16 (4) A properly completed and signed declaration of intent may be provided to the election  
17 administrator or secretary of state:

18 (a) by facsimile transmission;

19 (b) in person;

20 (c) by mail; or

21 (d) by electronic mail.

22 (5) A declaration is not valid until the filing fee required pursuant to 13-10-202 is received by the  
23 secretary of state or the election administrator.

24 (6) A write-in candidate who files a declaration of intent for a general election may not file with a  
25 partisan, nonpartisan, or independent designation."

26

27 **Section 2.** Section 20-3-305, MCA, is amended to read:

28 **"20-3-305. Candidate qualification, filing deadline, and withdrawal.** (1) Except as provided in 20-

1 3-338, any person who is qualified to vote in a district under the provisions of 20-20-301 is eligible for the office  
2 of trustee.

3 (2) (a) Except as provided in subsection (2)(b), a declaration of intent to be a candidate must be  
4 submitted to the clerk of the district ~~at least 40 days~~ no sooner than 145 days and no later than 85 days before  
5 the regular school election day at which the person is to be a candidate. If there are different terms to be filled,  
6 the term for the position for which the candidate is filing must also be indicated.

7 (b) A person seeking to become a write-in candidate for a trustee position shall file a declaration of  
8 intent no later than 5 p.m. on the 65th day before the ~~ballot certification deadline in 20-20-401~~ election.

9 (3) (a) A candidate intending to withdraw from the election shall send a statement of withdrawal to  
10 the clerk of the district. The statement must contain all information necessary to identify the candidate and the  
11 office for which the candidate filed. The statement of withdrawal must be acknowledged by the clerk of the  
12 district.

13 (b) A candidate may not withdraw after 5 p.m. ~~the day before the ballot certification deadline in 20-~~  
14 ~~20-401~~ the candidate filing deadline provided in subsection (2)(a)."

15

16 **Section 3.** Section 20-20-201, MCA, is amended to read:

17 **"20-20-201. Calling of school election.** (1) ~~(a)~~ (a) At least ~~70 days~~ 145 days before ~~any a regular~~ any a regular school  
18 election, the trustees of a district or other entity or official authorized by law to call a school election shall call  
19 the school election by resolution, stating the date and purpose of each election and whether, pursuant to 13-19-  
20 202, ~~any~~ the election is requested to be by mail.

21 (b) ~~The trustees or other entity described in subsection (1)(a) may amend the resolution provided~~  
22 for in subsection (1)(a) until 70 days prior to the regular school election. This subsection (1)(b) may not be  
23 construed to affect the ballot certification deadline concerning the certification of the official wording for each  
24 ballot issue as provided in 20-20-401.

25 (c) ~~At least 70 days prior to a special election, the trustees of a district or other entity or official~~  
26 authorized by law to call a school election shall call the special election by resolution, stating the date and  
27 purpose of each election and whether, pursuant to 13-19-202, any election is requested to be by mail.

28 (2) To enable the county election administrator to manage voter registration and prepare the lists

1 of registered electors:

2 (a) the resolution calling for a school election must be transmitted to the county election  
3 administrator no later than 3 days after the resolution is passed; and

4 (b) if the election is to be conducted by mail, the school clerk must also transmit to the county  
5 election administrator a copy of the written plan required under 13-19-205 as soon as the plan has been  
6 approved by the secretary of state."

7

8 **Section 4.** Section 20-20-401, MCA, is amended to read:

9 **"20-20-401. Trustees' election duties -- ballot certification.** (1) The trustees are the general  
10 supervisors of school elections unless the trustees request and the county election administrator agrees to  
11 conduct a school election under 20-20-417.

12 (2) Not less than ~~30 days~~ 37 days before an election, the clerk of the district shall certify the ballot  
13 by preparing a certified list of the names of all candidates entitled to be on the ballot subject to 13-37-126 and  
14 certifying the official wording for each ballot issue. The candidates' names must appear on the ballot in  
15 accordance with 13-12-203. The clerk shall arrange for printing the ballots. Ballots for absentee voting must be  
16 printed and available at least 20 days before the election. Names of candidates on school election ballots need  
17 not be rotated.

18 (3) Before the opening of the polls, the trustees shall cause each polling place to be supplied with  
19 the ballots and supplies necessary to conduct the election."

20

21 - END -