

1 HOUSE BILL NO. 85

2 INTRODUCED BY HARPER

3 BY REQUEST OF THE SECRETARY OF STATE

4
5 A BILL FOR AN ACT ENTITLED: "AN ACT SPECIFYING THAT THE COMMISSIONER OF POLITICAL
6 PRACTICES SHALL NOTIFY THE SECRETARY OF STATE OR THE ELECTION ADMINISTRATOR OF
7 NONCOMPLIANCE WITH CAMPAIGN PRACTICE LAWS BEFORE CERTAIN DEADLINES RELATED TO
8 BALLOT CERTIFICATION; AND AMENDING SECTION 13-37-126, MCA."

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

11
12 **Section 1.** Section 13-37-126, MCA, is amended to read:

13 **"13-37-126. Names not to be printed on ballot.** (1) The name of a candidate may not be printed
14 on the official ballot for an election if the candidate or a political treasurer for a candidate fails to file any
15 statement or report as required by this chapter.

16 (2) A vacancy on an official ballot under this section may be filled in the manner provided by law,
17 but not by the name of the same candidate.

18 (3) In carrying out the mandate of this section, the commissioner ~~must~~ shall, by a written
19 statement, notify the secretary of state or the election administrator that a candidate or a candidate's
20 treasurer has not complied with the provisions of this chapter, as described in subsection (1), and that a
21 candidate's name should not be printed on the official ballot. The commissioner shall provide this
22 notification by the ballot certification deadline provided in 13-10-208 for primary elections and by no later
23 than 7 days before the ballot certification deadline provided in 13-12-201 for general elections."

24 -END-

STATE OF MONTANA - FISCAL NOTE

Fiscal Note for HB0085, as introduced

DESCRIPTION OF PROPOSED LEGISLATION:

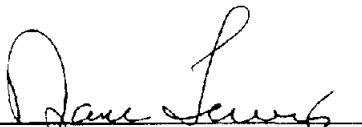
An act specifying that the commissioner of political practices shall notify the secretary of state or the election administrator of noncompliance with campaign practice laws before certain deadlines related to ballot certification.

ASSUMPTIONS:

1. There is no anticipated fiscal impact on the Commissioner of Political Practices.
2. There is no anticipated fiscal impact on the Office of the Secretary of State.

FISCAL IMPACT:

There is no fiscal impact to state government.


DAVE LEWIS, BUDGET DIRECTOR DATE
Office of Budget and Program Planning


HAL HARPER, PRIMARY SPONSOR DATE

Fiscal Note for HB0085, as introduced

HB 85

HOUSE BILL NO. 85

INTRODUCED BY HARPER

BY REQUEST OF THE SECRETARY OF STATE

A BILL FOR AN ACT ENTITLED: "AN ACT SPECIFYING THAT THE COMMISSIONER OF POLITICAL PRACTICES SHALL NOTIFY THE SECRETARY OF STATE OR THE ELECTION ADMINISTRATOR OF NONCOMPLIANCE WITH CAMPAIGN PRACTICE LAWS BEFORE CERTAIN DEADLINES RELATED TO BALLOT CERTIFICATION; AND AMENDING SECTION 13-37-126, MCA."

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

Section 1. Section 13-37-126, MCA, is amended to read:

"13-37-126. Names not to be printed on ballot. (1) The name of a candidate may not be printed on the official ballot for an election if the candidate or a political treasurer for a candidate fails to file any statement or report as required by this chapter.

(2) A vacancy on an official ballot under this section may be filled in the manner provided by law, but not by the name of the same candidate.

(3) In carrying out the mandate of this section, the commissioner ~~must~~ shall, by a written statement, notify the secretary of state or the election administrator that a candidate or a candidate's treasurer has not complied with the provisions of this chapter, as described in subsection (1), and that a candidate's name should not be printed on the official ballot. The commissioner shall provide this notification by the ballot certification deadline provided in 13-10-208 for primary elections and by no later than 7 days before the ballot certification deadline provided in 13-12-201 for general elections."

-END-

1 HOUSE BILL NO. 85
2 INTRODUCED BY HARPER
3 BY REQUEST OF THE SECRETARY OF STATE
4

5 A BILL FOR AN ACT ENTITLED: "AN ACT SPECIFYING THAT THE COMMISSIONER OF POLITICAL
6 PRACTICES SHALL NOTIFY THE SECRETARY OF STATE OR THE ELECTION ADMINISTRATOR OF
7 NONCOMPLIANCE WITH CAMPAIGN PRACTICE LAWS BEFORE CERTAIN DEADLINES RELATED TO
8 BALLOT CERTIFICATION; AND AMENDING SECTION 13-37-126, MCA."
9

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
11

12 Section 1. Section 13-37-126, MCA, is amended to read:

13 "13-37-126. Names not to be printed on ballot. (1) The name of a candidate may not be printed
14 on the official ballot for an election if the candidate or a political treasurer for a candidate fails to file any
15 statement or report as required by this chapter.

16 (2) A vacancy on an official ballot under this section may be filled in the manner provided by law,
17 but not by the name of the same candidate.

18 (3) In carrying out the mandate of this section, the commissioner ~~must~~ shall, by a written
19 statement, notify the secretary of state or the election administrator that a candidate or a candidate's
20 treasurer has not complied with the provisions of this chapter, as described in subsection (1), and that a
21 candidate's name should not be printed on the official ballot. The commissioner shall provide this
22 notification by the ballot certification deadline provided in 13-10-208 for primary elections and by no later
23 than 7 days before the ballot certification deadline provided in 13-12-201 for general elections."
24

-END-

1 HOUSE BILL NO. 85

2 INTRODUCED BY HARPER

3 BY REQUEST OF THE SECRETARY OF STATE

4
5 A BILL FOR AN ACT ENTITLED: "AN ACT SPECIFYING THAT THE COMMISSIONER OF POLITICAL
6 PRACTICES SHALL NOTIFY THE SECRETARY OF STATE OR THE ELECTION ADMINISTRATOR OF
7 NONCOMPLIANCE WITH CAMPAIGN PRACTICE LAWS BEFORE CERTAIN DEADLINES RELATED TO
8 BALLOT CERTIFICATION; AND AMENDING SECTION 13-37-126, MCA."

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

11
12 Section 1. Section 13-37-126, MCA, is amended to read:

13 "13-37-126. Names not to be printed on ballot. (1) The name of a candidate may not be printed
14 on the official ballot for an election if the candidate or a political treasurer for a candidate fails to file any
15 statement or report as required by this chapter.

16 (2) A vacancy on an official ballot under this section may be filled in the manner provided by law,
17 but not by the name of the same candidate.

18 (3) In carrying out the mandate of this section, the commissioner ~~must~~ shall, by a written
19 statement, notify the secretary of state or the election administrator that a candidate or a candidate's
20 treasurer has not complied with the provisions of this chapter, as described in subsection (1), and that a
21 candidate's name should not be printed on the official ballot. The commissioner shall provide this
22 notification by the ballot certification deadline provided in 13-10-208 for primary elections and by no later
23 than 7 days before the ballot certification deadline provided in 13-12-201 for general elections."

24 -END-

1 HOUSE BILL NO. 85

2 INTRODUCED BY HARPER

3 BY REQUEST OF THE SECRETARY OF STATE

4
5 A BILL FOR AN ACT ENTITLED: "AN ACT SPECIFYING THAT THE COMMISSIONER OF POLITICAL
6 PRACTICES SHALL NOTIFY THE SECRETARY OF STATE OR THE ELECTION ADMINISTRATOR OF
7 NONCOMPLIANCE WITH CAMPAIGN PRACTICE LAWS BEFORE CERTAIN DEADLINES RELATED TO
8 BALLOT CERTIFICATION; AND AMENDING SECTION 13-37-126, MCA."

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

11
12 Section 1. Section 13-37-126, MCA, is amended to read:

13 "13-37-126. Names not to be printed on ballot. (1) The name of a candidate may not be printed
14 on the official ballot for an election if the candidate or a political treasurer for a candidate fails to file any
15 statement or report as required by this chapter.

16 (2) A vacancy on an official ballot under this section may be filled in the manner provided by law,
17 but not by the name of the same candidate.

18 (3) In carrying out the mandate of this section, the commissioner ~~must~~ shall, by a written
19 statement, notify the secretary of state or the election administrator that a candidate or a candidate's
20 treasurer has not complied with the provisions of this chapter, as described in subsection (1), and that a
21 candidate's name should not be printed on the official ballot. The commissioner shall provide this
22 notification by the ballot certification deadline provided in 13-10-208 for primary elections and by no later
23 than 7 days before the ballot certification deadline provided in 13-12-201 for general elections."

24 -END-