

1 House BILL NO. 255  
 2 INTRODUCED BY F. Hager  
 3

4 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING A MAYORAL  
 5 CANDIDATE TO RECEIVE AT LEAST FIFTY PERCENT (50%) OF THE  
 6 VOTES CAST FOR THAT OFFICE IN A GENERAL ELECTION; PROVIDING  
 7 FOR A RUN-OFF ELECTION IF NO MAYORAL CANDIDATE RECEIVES AT  
 8 LEAST FIFTY PERCENT (50%) OF THE VOTES CAST FOR THAT OFFICE;  
 9 AND AMENDING SECTION 11-718, R.C.M. 1947."

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

12 Section 1. Fifty percent of vote required. A mayoral  
 13 candidate who receives fifty percent (50%) of the total  
 14 votes cast for that office in a general election shall be  
 15 declared mayor. If no candidate receives fifty percent  
 16 (50%) of the total votes cast, a run-off election shall be  
 17 held between the two (2) candidates who received the highest  
 18 number of votes cast in the election. The run-off election  
 19 shall be held by proclamation of the mayor two (2) weeks  
 20 after the final canvass of the election results.

21 Section 2. Section 11-718, R.C.M. 1947, is amended to  
 22 read as follows:

23 "11-718. Canvass--when and how made. On the Monday  
 24 following any election, the council must convene and  
 25 publicly canvass the result, and issue certificates of

1 election to each person, except a mayoral candidate, elected  
 2 by a plurality of votes. When two or more persons have  
 3 received an equal and highest number of votes for any one of  
 4 the offices voted for, except for the office of mayor, the  
 5 council must thereafter, at its first regular meeting,  
 6 decide by vote between the parties which is elected. If the  
 7 council from any cause fails to meet on the day named, the  
 8 mayor must call a special meeting of the council within five  
 9 days thereafter, and, in addition to the notice provided for  
 10 calling special meetings, must publish the same on two  
 11 successive days in some newspaper published in such city or  
 12 town. If the mayor fails to call said meeting within said  
 13 five days, any three councilmen may call it. At such special  
 14 meeting all elections, appointments, or other business may  
 15 be transacted that could have been on the day first herein  
 16 named."

-End-

HB 255