

1 *Senate* BILL NO. *404*
 2 INTRODUCED BY *W. H. Turnage Robert*
 3

4 A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTIONS
 5 23-4505 AND 23-4508, R.C.M. 1947, TO REMOVE THE REQUIREMENT
 6 FOR A PRIMARY ELECTION FOR JUDICIAL OFFICERS WHEN THE NUMBER
 7 OF CANDIDATES CONTESTING IN THE PRIMARY IS THE SAME AS THE
 8 NUMBER OF CANDIDATES TO APPEAR ON THE GENERAL ELECTION
 9 BALLOT."

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

12 Section 1. Section 23-4505, R.C.M. 1947, is amended to
 13 read as follows:

14 "23-4505. Primary ballots -- preparation and
 15 distribution. (1) The registrars shall arrange, prepare, and
 16 distribute primary ballots for judicial offices designated
 17 "Judicial Primary Ballots." They shall be arranged as other
 18 primary ballots and be without political designation.

19 (2) The number of judicial primary ballots and sample
 20 ballots furnished shall be the same as other primary
 21 ballots.

22 (3) When the number of candidates for nomination to a
 23 judicial office is not more than twice the number of
 24 officers to be elected to that office at the general
 25 election, neither the title of the office nor the name of a

1 candidate shall appear on the ballot."

2 Section 2. Section 23-4508, R.C.M. 1947, is amended to
 3 read as follows:

4 "23-4508. Nominations -- placing names on ballots. (1)
 5 Candidates for nomination equal to twice the number to be
 6 elected at the general election who shall receive the
 7 highest number of votes cast at the primary, or if the
 8 number of candidates is not more than twice the number to be
 9 elected then all candidates, are nominees for the office.

10 (2) Candidates who received the highest vote in the
 11 primary shall have their names printed on the official
 12 ballot for the general election.

13 (3) No candidate shall have his name on the judicial
 14 ballot for the general election unless he was a successful
 15 candidate at the primary election or unless he is a
 16 candidate whose name was not printed on the primary ballot
 17 because the number of candidates in the primary was not more
 18 than twice the number of officers to be elected to that
 19 office at the general election."

-End-

INTRODUCED BILL

-2- SB 404

Approved by Committee
on Judiciary

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2 INTRODUCED BY LYNCH, TURNAGE, ROBERTS, TOWE

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23 judicial office is not more than twice the number of
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2 ONLY ONE CANDIDATE IS QUALIFIED, HIS NAME SHALL APPEAR ON
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