HB 49   INTRODUCED BY RAPP-SVRCEK
         PROVIDING FOR NONPARTISAN ELECTION OF COUNTY
              ATTORNEYS AND SHERIFFS

              1/05   INTRODUCED
              1/05   REFERRED TO LOCAL GOVERNMENT
              1/09   HEARING
              1/10   COMMITTEE REPORT--BILL NOT PASSED
              1/12   ADVERSE COMMITTEE REPORT ADOPTED   93

1   __HOUSE__ BILL NO. __49__

2 INTRODUCED BY __RAPP-SVRCEK__

3

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE FOR THE

5 NONPARTISAN ELECTION OF COUNTY ATTORNEYS AND SHERIFFS; AND

6 AMENDING SECTION 7-4-2203, MCA."

7

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

9   Section 1. Section 7-4-2203, MCA, is amended to read:

10   "7-4-2203. County officers. (1) There may be elected

11 or appointed the following county officers, who shall

12 possess the qualifications for suffrage prescribed by the

13 Montana constitution and such other qualifications as may be

14 prescribed by law:

15   (a) one county attorney;

16   (b) one clerk of the district court;

17   (c) one county clerk;

18   (d) one sheriff;

19   (e) one treasurer;

20   (f) one auditor if authorized by 7-6-2401;

21   (g) one county superintendent of schools;

22   (h) one county surveyor;

23   (i) one assessor;

24   (j) one coroner;

25   (k) one public administrator; and

1   (1) at least one justice of the peace.

2   (2) The commissioners may appoint at their discretion

3 constables. Not more than one constable may be appointed

4 for each justice's court.

5   (3) All elective township officers may be elected at

6 each general election as now provided by law.

7   (4) A county attorney or sheriff elected to office

8 must be nominated and elected on a nonpartisan ballot by the

9 qualified voters of the county according to the provisions

10 of Title 13, chapter 14, part 1."

                 -End-

Montana Legislative Council

-2- **INTRODUCED BILL**
HB 49

STANDING COMMITTEE REPORT

HOUSE

MARCH 19, 19 87

Mr. Speaker: We, the committee on ___JUDICIARY___

report___ SENATE BILL NO. 49

☐ do pass
☐ do not pass

☒ be concurred in
☐ be not concurred in

☒ as amended
☐ statement of intent attached

(signature)
Chairman

1. Title, line 12.
Strike: "SECTIONS"
Insert: "SECTION"
Strike: "AND 35-2-411"
Following: "MCA"
Insert: "; AND PROVIDING AN APPLICABILITY PROVISION AND AN
    IMMEDIATE EFFECTIVE DATE"

2. Page 1, line 21.
Following: "MISCONDUCT."
Insert: "The immunity granted by this section does not apply
    to the liability of a nonprofit corporation."

3. Page 2, lines 10 through 15.
Strike: section 3 of the bill in its entirety
Insert: "NEW SECTION. Section 3. Effective date --
    applicability. This act is effective on passage and
    approval and applies to claims accruing after the effective
    date of this act."

THIRD ___ reading copy (___ BLUE ___)   REP. MILES WILL CARRY THE BILL!
                     color