

SENATE BILL 380

Introduced by Devlin

2/12	Introduced
2/12	Referred to State Administration
2/12	First Reading
2/18	Hearing
2/19	Committee Report--Bill Not Passed as Amended
2/19	Adverse Committee Report Adopted
2/20	Motion Failed to Reconsider Adoption of Adverse Committee Report

1 Senate BILL NO. 380  
2 INTRODUCED BY DeLoe  
3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING ELECTED  
5 STATE PUBLIC OFFICERS FROM RUNNING FOR ELECTION IN A GENERAL  
6 OR SPECIAL ELECTION OR FROM BEING APPOINTED TO A DIFFERENT  
7 ELECTED STATE PUBLIC OFFICE; PROVIDING AN EXCEPTION FOR  
8 PERSONS COMPLETING THE LAST FULL YEAR OF A TERM OF PUBLIC  
9 OFFICE AND FOR JUDICIAL OFFICERS; AND AMENDING SECTION  
10 2-16-102, MCA."  
11

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

13 Section 1. Section 2-16-102, MCA, is amended to read:

14 "2-16-102. Qualifications generally -- age and  
15 citizenship -- candidates prohibited from other public  
16 office. (1) Provisions respecting disqualifications for  
17 particular offices are contained in the constitution and in  
18 the provisions of the codes concerning the various offices.

19 (2) No A person is not eligible to hold civil office in  
20 this state who at the time of his election or appointment is  
21 not ~~of-the-age-of~~ 18 years of age or older and a citizen of  
22 this state.

23 (3) (a) Except as provided in subsections (3)(b) and  
24 (3)(c), a person who holds a public office, as defined in  
25 13-1-101, may not run for election in a general or special

1 election or be appointed to a different public office.

2 (b) A person who holds a public office may run for  
3 election in a general or special election to a different  
4 public office if the person is completing the last full year  
5 of the term of the public office currently held by the  
6 person.

7 (c) Subsections (3)(a) and (3)(b) do not apply to a  
8 judicial officer to the extent that Article VII, section 10,  
9 of the Montana constitution authorizes that officer to be a  
10 candidate for another judicial office.

11 (4) Nothing in this section prohibits a person holding  
12 a public office from running for election to the same  
13 office."

-End-