

1 House BILL NO. 159
2 INTRODUCED BY Eliff Lyle

4 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING AN ELECTION ADMINISTRATOR TO CANCEL AN
5 ANNUAL ELECTION IN WHICH THERE IS NO FILED CANDIDATE AND ALLOWING A GOVERNING BODY
6 OF A POLITICAL SUBDIVISION OF A COUNTY TO MAKE THE APPOINTMENT TO THE PUBLIC OFFICE;
7 ALLOWING AN UNOPPOSED CANDIDATE TO BE DECLARED ELECTED BY ACCLAMATION; AND
8 AMENDING SECTION 13-1-304, MCA."

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

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12 **Section 1. Section 13-1-304, MCA, is amended to read:**

13 **"13-1-304. Duties of officials when election not held. (1)** If a scheduled election is not necessary
14 or is canceled for any reason, the governing body or official making the determination shall immediately
15 notify the election administrator in writing.

16 (2) If the election is not necessary because of the number of candidates filed, the election
17 administrator shall make the determination and notify the proper governing body.

18 (3) If no candidate has filed for a public office in an annual election of a political subdivision of a
19 county, the election administrator may cancel the election and notify the appropriate governing body. The
20 governing body may appoint an officer to fill the public office.

21 (4) If there is only one candidate for a position on the ballot, the candidate may be declared elected
22 by acclamation."

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