

House BILL NO. 370

INTRODUCED BY

Doris Grunoe

A BILL FOR AN ACT ENTITLED: "AN ACT CHANGING THE TIME FOR HOLDING THE PRIMARY ELECTION IN EVEN-NUMBERED YEARS FROM JUNE TO APRIL; PROVIDING THAT THE COUNTY ELECTION ADMINISTRATOR SHALL CONDUCT THE REGULAR SCHOOL ELECTION IN THOSE YEARS IN WHICH THE PRIMARY ELECTION IS HELD; AND AMENDING SECTIONS 13-1-107, 20-20-401, AND 20-20-417, MCA."

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

Section 1. Section 13-1-107, MCA, is amended to read:

"13-1-107. Times for holding primary elections. (1) On the first Tuesday after the first Monday in June of April preceding the general election provided for in 13-1-104(1), a primary election shall must be held throughout the state.

(2) On the Tuesday following the second Monday in September preceding the general election provided for in 13-1-104(2), a primary election, if required, shall must be held throughout the state.

(3) If the general election for a municipality required to hold annual elections is held in November, as provided in 13-1-104(4), a primary election, if required, shall must be held on the Tuesday following the second Monday in September. In an even-numbered year, the cost of this election must be paid by the municipality."

Section 2. Section 20-20-401, MCA, is amended to read:

"20-20-401. Trustees' election duties -- ballot certification. (1) ~~The~~ Except as provided under 20-20-417, the trustees are the general supervisors of school elections ~~unless the trustees request and the county election administrator agrees to conduct a school election under 20-20-417.~~

(2) Not less than 15 days before an election, the clerk of the district shall prepare a certified list of the names of all candidates entitled to be on the ballot and the official wording for each ballot issue. The clerk shall arrange for printing the ballots. Ballots for absentee voting must be printed and available at least 11 days prior to the election. Names of candidates on school election ballots need not be rotated.

(3) Before the opening of the polls, the trustees shall cause each polling place to be supplied with

1 the ballots and supplies necessary to conduct the election."

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3 **Section 3.** Section 20-20-417, MCA, is amended to read:

4 **"20-20-417. Request for county election administrator to conduct election.** (1) ~~(a)~~ By Except as
5 provided under subsection (1)(b), by June 1 of each year, the trustees of any district may request the
6 county election administrator to conduct certain school elections during the ensuing school fiscal year.

7 (b) The county election administrator shall conduct the regular school election provided for under
8 20-20-105 in those years when a primary election is held pursuant to 13-1-107(1).

9 (2) Whenever the county election administrator ~~agrees to conduct~~ conducts a school election, ~~he~~
10 the administrator shall:

11 (a) perform the duties imposed on the trustees and the clerk of the district for school elections in
12 20-20-203, 20-20-313, and 20-20-401;

13 (b) conduct the election in accordance with the provisions of Title 13, chapters 13 and 15; and

14 (c) deliver to the trustees, for the purpose of canvassing the vote, the certified tally sheets and
15 other items as provided in 13-15-301.

16 (3) Whenever the ~~trustees request the~~ county election administrator ~~to conduct~~ conducts a school
17 election, the school district shall pay the costs of the election as provided in 13-1-302."

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