

SENATE BILL NO. 184

INTRODUCED BY M. REGIER

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A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO ELECTIONS FOR PRECINCT COMMITTEE REPRESENTATIVES; PROVIDING THAT ONLY CONTESTED RACES FOR MALE OR FEMALE COMMITTEE REPRESENTATIVES NEED TO BE ON THE PRIMARY BALLOT; AND AMENDING SECTION 13-38-201, MCA."

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

**Section 1.** Section 13-38-201, MCA, is amended to read:

**"13-38-201. Election or appointment of committee representatives at primary -- vacancies -- tie votes.** (1) Each political party shall appoint or elect at each primary election one person of each sex, as defined in 1-1-201, to serve as committee representatives for each election precinct. The committee representatives must be residents and registered voters of the precinct.

(2) If a political party chooses to appoint precinct committee representatives, the political party shall make the appointments as provided in the party's rules.

(3) If a political party chooses to elect precinct committee representatives, the party may:

(a) administer the election itself as provided in the party's rules; or

(b) elect precinct committee representatives in a primary election, subject to 13-10-209 and subsection (4) of this section.

(4) In a primary election for a precinct committee representative:

(i) if the number of candidates nominated for a party's precinct ~~committee representatives~~ male committee representative is less than or equal to the number of positions to be elected, the election administrator may give notice that a party's precinct ~~committee~~ male committee representative election will ~~will~~ may not be held in that precinct; and

(ii) if the number of candidates nominated for a party's precinct female committee representative is less than or equal to the number of positions to be elected, the election administrator may give notice that a

1 party's precinct female committee representative election may not be held in that precinct;

2 (b) if a party precinct committee election is not held pursuant to subsection (4)(a), the election  
3 administrator shall declare elected by acclamation the candidate who filed for the position or who filed a  
4 declaration of intent to be a write-in candidate. The election administrator shall issue a certificate of election to  
5 the designated party.

6 (c) write-in votes for a precinct committee representative may be counted as specified in 13-15-  
7 206(5) only if the individual whose name is written in has filed a declaration of intent as a write-in candidate by  
8 the deadline prescribed in 13-10-211(1);

9 (d) in the case of a tie vote for a precinct committee representative position, the county central  
10 committee shall determine a winner.

11 (5) Pursuant to 13-38-101, a vacancy in a precinct committee representative position must be filled  
12 by the party governing body as provided in its rules."

13 - END -