

SENATE BILL NO. 257

INTRODUCED BY B. USHER, J. SCHILLINGER, J. CARLSON, F. NAVE, J. GILLETTE, B. BROWN, K. REGIER, R. LYNCH, M. NOLAND, D. LENZ, D. BARTEL, J. WELBORN, C. GLIMM, J. ELLSWORTH, K. BOGNER, D. EMRICH, J. TREBAS

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO THE JUDICIARY; PROVIDING THAT A LAWYER MAY NOT APPLY FOR A JUDICIAL OFFICE IF THEY HAVE PREVIOUSLY LOST AN ELECTION FOR A JUDICIAL OFFICE; AND AMENDING SECTION 3-1-902, MCA."

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

Section 1. Section 3-1-902, MCA, is amended to read:

"3-1-902. Investigation -- qualifications for appointment. (1) The governor may authorize investigations concerning the qualifications of eligible persons.

(2) (a) ~~Except as provided in subsection (2)(b),~~ a lawyer in good standing who has the qualifications set forth by law for holding judicial office may be a candidate and may apply to the governor for consideration, or application may be made by any person on the lawyer's behalf.

(b) ~~An otherwise qualified lawyer may not apply or be a candidate for holding a judicial office under this part if the lawyer has lost an election for a judicial office in the state at any time.~~"

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