

HOUSE BILL NO. 221

INTRODUCED BY L. SCHUBERT, W. GALT, E. ALBUS, K. LOVE, R. GREGG, T. MILLETT, E. BUTTREY, C. HINKLE, G. HUNTER, R. MARSHALL, J. KASSMIER, D. LOGE, M. REGIER, B. LER, J. SCHILLINGER, K. ZOLNIKOV, L. DEMING, B. BARKER, L. BREWSTER, N. DURAM, T. FALK, G. HERTZ, D. LENZ, B. MERCER, B. MITCHELL, G. NIKOLAKAKOS, J. TREBAS, Z. WIRTH, S. MANESS, K. BOGNER, J. HINKLE

A BILL FOR AN ACT ENTITLED: "AN ACT MOVING MUNICIPAL ELECTIONS TO EVEN-NUMBERED YEARS; PROVIDING A TRANSITION FOR MUNICIPAL OFFICERS; AMENDING ~~SECTION SECTIONS~~ 13-1-104, AND 13-1-107, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE."

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

**Section 1.** Section 13-1-104, MCA, is amended to read:

**"13-1-104. Times for holding general elections.** (1) A general election must be held throughout the state on the first Tuesday after the first Monday in November.

(2) In every even-numbered year, the following elections must be held on general election day:

(a) an election on any ballot issue submitted to electors pursuant to Article III, section 6, unless the legislature orders a special election, or Article XIV, section 8, of the Montana constitution;

(b) an election of federal officers, members of the legislature, state officers, multicounty district officers elected at a statewide election, district court judges, and county officers; ~~and~~

(c) an election of officers for municipalities required by law to hold the election; and

~~(e)(d)~~ any other election required by law to be held on general election day in an even-numbered year.

~~(3) In every odd-numbered year, the following elections must be held on the same day as the general election:~~

~~(a) an election of officers for municipalities required by law to hold the election; and~~

~~(b) any other~~ Only an election required by law to be held on general election day in an odd-

numbered year may be held in an odd-numbered year."

**Section 2.** Section 13-1-107, MCA, is amended to read:

**"13-1-107. ~~Times-Time~~ for holding primary elections -- cost of municipal election.** (1) On the first Tuesday after the first Monday in June preceding a general election held in an even-numbered year, a primary election must be held throughout the state.

~~(2) — On the Tuesday following the second Monday in September preceding a general election held in an odd-numbered year, a primary election, if required, must be held throughout the state.~~

~~(3)(2)~~ The cost of a municipal election must be paid by the municipality."

**NEW SECTION. Section 3. Transition.** (1) For a municipal officer whose term of office ends in January 2026, there must be an election in 2025 for a one-year term of office.

(2) For a municipal officer whose term of office ends in January 2028 or January 2030, there must be a special election for a one-year term proceeding when their term of office is set to end. This special election must take place during the preceding even-numbered year general election.

**NEW SECTION. Section 4. Saving clause.** [This act] does not affect rights and duties that matured, penalties that were incurred, or proceedings that were begun before [the effective date of this act].

**NEW SECTION. Section 5. Effective date.** [This act] is effective on passage and approval.

**NEW SECTION. Section 6. Applicability.** [This act] applies to all municipal elections scheduled on or after [the effective date of this act].

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