1   HOUSE BILL NO. 455

2   INTRODUCED BY J. DARLING

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4   A BILL FOR AN ACT ENTITLED: "AN ACT UPDATING THE COMMISSIONER OF POLITICAL PRACTICES

5   DEADLINE TO CERTIFY POLITICAL CANDIDATES FOR MUNICIPAL RACES; AMENDING SECTION 13-37-

6   126, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE."

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

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10   **Section 1.** Section 13-37-126, MCA, is amended to read:

11   **"13-37-126.   Names not to appear on ballot -- statewide initiative not to appear on ballot.** (1) The

12   name of a candidate may not appear on the official ballot for an election if the candidate or a treasurer for a

13   candidate fails to file any statement or report as required by 2-2-106 or this chapter.

14   (2)   A vacancy on an official ballot under subsection (1) may be filled in the manner provided by

15   law, but not by the same candidate.

16   (3)   A statewide initiative may not appear on the official ballot for an election if the treasurer for the

17   primary ballot committee supporting the statewide initiative fails to file any report as required by this chapter.

18   (4)   A vacancy on an official ballot under subsection (3) may not be filled.

19   (5)   (a) In carrying out the mandate of this section, the commissioner shall, by a written statement,

20   notify the secretary of state and the election administrator conducting an election when a candidate or a

21   candidate's treasurer has not complied with 2-2-106 or when a candidate or candidate's treasurer or the

22   treasurer for the primary ballot committee supporting a statewide initiative has not complied with the provisions

23   of this chapter and that the candidate's name or the statewide initiative may not appear on the official ballot.

24   (b)   Except as provided in subsection (5)(c), the commissioner shall provide the notification:

25   (i)   2 calendar days before the certification deadline provided in 13-10-208 for statewide primary

26   elections and 20-20-401 for school district elections; and

27   (ii)   7 days before the certification deadline provided in 13-12-201 for general elections.

1   (c)   (i) (i) For a municipal primary election and a municipal general election, the commissioner shall

2   provide the notification no later than 5 days after the candidate filing deadline.

3   (ii)   For a municipal general election, the commissioner shall provide the notification no later than

4   September 30 or, if September 30 falls on a Saturday or Sunday, no later than the preceding Friday.

5   (ii)   For a municipal general election, the commissioner shall provide the notification no later than

6   September 24 or, if September 24 falls on a Saturday or Sunday, no later than the preceding Friday."

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8   NEW SECTION. **Section 2.   Effective date.** [This act] is effective on passage and approval.

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10   NEW SECTION. **Section 3.   Applicability.** [This act] applies to all municipal primary elections and

11   municipal general elections held on or after April 20, 2025.

12   - END -

Authorized Print Version – HB 455