

NEW:
Section-by-Section Summary of LC0143
General Revision of Election Laws

Prepared by Sheri Scurr, Legislative Services Division
for the State Administration and Veterans' Affairs Interim Committee

REVISED AS OF NOV. 4, 2014

Color Codes

Red = Substantive Changes in Current Law

Blue = CHANGES FROM PREVIOUS DRAFTS – DECISION PONT FOR SAVA

Green = Need to double-check changes with stakeholders.

| Section No. | MCA Section - Catchline | Summary of Revisions | Substantive change in current law |
|-------------|--|---|---|
| 1. | NEW. Purpose. | <p>Special purpose districts.</p> <p>Establishes statement of purpose for the part in which the new sections will be codified. Sections 1 through 5 (the new part) would apply only to special purpose districts.</p> | <p>N/A simply states purpose</p> |
| 2. | NEW. Deadlines for candidate filing, write-in candidacy, and withdrawal – election cancellation – election by acclamation. | <p>Special purpose districts.</p> <p>Candidate filing deadline - 145 days to 85 days before No withdrawal after – 85 days before Write-in deadline – 30 days before (10th day before absentee ballots must be available, which is 20th day before)</p> <p><i>*Note: Above deadlines conform to primary and general election deadlines, with changes as proposed in LC 143. See 13-10-201, 13-10-211, 13-10-325</i></p> <p>Election may be canceled – 30 days before Election by acclamation - if only one candidate for an office If no candidate for a position, NEW SAVA DECISION: “filled as provided by law” (i.e., should specific statutes continue to govern if no candidate files for a position, or should the standard be that the position is filled by appointment of the county commissioners...because some districts are different than others)</p> | <p style="text-align: center;">X</p> <p style="text-align: center;">???</p> |

| Section No. | MCA Section - Catchline | Summary of Revisions | Substantive change in current law |
|-------------|---|--|-----------------------------------|
| 3. | NEW. Deadlines for absentee and mail ballots. | <p>Special purpose districts. Absentee and mail ballot deadlines</p> <ul style="list-style-type: none"> - 20 days before - polling place election - 20 to 15 days before – mail ballot election <p>NEW DECISION POINT: current law for mail ballot election is mailing between 25 to 15 days before election (13-19-207) - some stakeholders thought mail might not be able to go out all in one day so wanted to keep window, but agreed to change window to conform to absentee ballot mailing which is 20 days a earliest mailing date. Should there is just be one date for mailing ballots, 20 days, rather than a window?</p> | ??? |
| 4. | NEW. Date special purpose district elections may be held. | <p>Special purpose districts. Elections must be held on same day as the regular trustee school elections – first Tues. after first Mon. in May. Funding elections could still be held on a special day as a special election. Election could not be held on a primary or general election day. Election may not be less than 85 days after the election is called.</p> | X |
| 5. | NEW. Conduct of elections. | <p>Special purpose districts. Clarifies that the election must be conducted as provided in Title 13.</p> | No substantive change |
| 6. | NEW. Purpose – definition. | <p>City or county elections. Establishes a definition of “local government” that <u>excludes</u> special purpose districts and school districts. Sections 6 through 10 apply to these local government elections.</p> | No substantive change |

| Section No. | MCA Section - Catchline | Summary of Revisions | Substantive change in current law |
|-------------|--|--|-----------------------------------|
| 7. | NEW. Deadlines for candidate filing, write-in candidacy, and withdrawal – election cancellation – election by acclamation. | <p>Certain city and county elections. <i>(Elections covered are those for special reasons, such as changing form of government, altering boundaries, removing county seat, consolidating a county and/or city government, etc.)</i></p> <p>Candidate filing deadline - 145 days to 85 days before No withdrawal after – 85 days before Write-in deadline – 30 days before (10th day before absentee ballots must be available, which is 20th day before)</p> <p><i>*Note: Above deadlines conform to primary and general election deadlines, with changes as proposed in LC 143. See 13-10-201, 13-10-211, 13-10-325</i></p> <p>Election may be canceled – 30 days before Election by acclamation - if only one candidate for an office If no candidate for a position, NEW SAVA DECISION: is “filled as provided by law” ok? (i.e., specific statutes would continue to govern because some current provisions are different than others, or should this also be standardized?)</p> | ??? |
| 8. | NEW. Deadlines for absentee and mail ballots. | <p>Certain city and county elections. NEW SAVA DECISION: Substantive Change (requested by county election administrators association). Absentee ballots must be available 25 days prior to the election rather than 30 days. Note: This change is also requested for primary and general election absentee ballots. See also amendments to 13-13-205 on absentee voting.</p> | ??? |
| 9. | NEW. Date local government elections may be held. | <p>Certain city and county elections. DOUBLE CHECK PREVIOUS DECISION: Elections that are not funding elections <u>must</u> be held on primary or general election day. A funding election may be called as a special election. The election must be called at least 85 days prior to the election.</p> <p><i>Note: Some statutes provide the election MUST be held on primary or general election day, while other statues say the elections MAY be held on primary or general election day. This change would standardize to MUST.</i></p> | ??? |

| Section No. | MCA Section - Catchline | Summary of Revisions | Substantive change in current law |
|-------------|---|--|-----------------------------------|
| 10. | NEW. Conduct of elections. | Certain city and county elections. Clarifying that these elections must be conducted in the same manner as other elections. | No substantive change |
| 11. | 2-16-622. Resignation of officer – proclamation of election. | Montana Recall Act. NEW DECISION POINT: (change requested by MACo) Changes immediate effective date for a resignation of an officer named in a recall petition to 72 hours after the letter of resignation to make it consistent with the 72-hour timeframe in 2-16-502 for any other resignation. Is this OK? Also strikes requirement for <u>separate ballot</u> . (By request of county election administrator assoc.) | ??? |
| 12. | 3-1-1013. Senate confirmation -- ... | Senate confirmation. No substantive change. Update of internal reference. | No substantive change |
| 13. | 7-1-201. Boards. | Local government boards and commissions. Revisions provide general cleanup and a reference back to [sections 1 through 5] concerning special purpose district elections. NEW DECISION POINT: Substantive change is to make the 4-year maximum term applicable to elected members of special boards as well as to appointed members. See subsection (5)(c). | ??? |
| 14. | 7-1-2121. Publication and content of notice -- proof of publication. | Counties. Internal reference inserted to clarify notice of elections must be as provided in 13-1-108. | No substantive change |
| 15. | 7-2-2215. Election on question of creating new county -- proclamation and notice. | Counties. Change is to conform section to standard sections so that an election to create a new county may not be held sooner than 85 after the call of the election. Was 60 days after. | X |
| 16. | 7-2-2604. Consideration of petition -- submission to voters -- <u>withdrawal of signatures</u> . | Counties. Change is to allow a person to withdraw his/her signature from a petition to change the location of a county seat in the same way as is allowed under current law for a petition to consolidate a county. (See 7-2-2705) | X |

| Section No. | MCA Section - Catchline | Summary of Revisions | Substantive change in current law |
|-------------|---|--|-----------------------------------|
| 17. | 7-2-2705. Petition to amend proposed consolidation. | Counties. Concerns petition to consolidate counties. Clean up only. | No substantive change |
| 18. | 7-2-2709. Election on question of abandonment and consolidation. | Counties. Concerns an election to abandon and consolidate counties. Amended to provide internal reference back to Sections 6 through 10 and for cleanup. No substantive changes. | No substantive change |
| 19. | 7-2-2804. Order for election -- registered electors entitled to vote. | Counties. Election to change the boundary of county must be called by 85 days before the date of the election instead of by 75 days before. | X |
| 20. | 7-2-4104. Election on question of organization. | Municipalities. Concerns election on the incorporation of a municipality. Amended to provide internal reference back to Sections 6 through 10 on local government elections and for cleanup. No substantive changes. | No substantive change |
| 21. | 7-2-4106. First election for officers. | Municipalities. Concerns first election of officers for a newly incorporated municipality. NEW DECISION POINT: Provides that <u>first</u> election of officers does not involve a primary. Is this OK? <i>Note: Current law has some first elections of local government officers involving a primary and some not. This changes standardizes to NO PRIMARY FOR FIRST ELECTION.</i> | ??? |
| 22. | 7-2-4314. Hearing on question of annexation -- vote ... | Municipalities. Concerns an election on annexation of an area to become part of a city or town. Amended to provide internal reference back to Sections 6 through 10 and for cleanup. Change requires election to be held no sooner than 85 days after the election instead of 45 days after. | X |
| 23. | 7-2-4601. Annexation by petition. | Municipalities. Cleanup. | No substantive changes. |

| Section No. | MCA Section - Catchline | Summary of Revisions | Substantive change in current law |
|-------------|--|---|---|
| 24. | 7-2-4602. Election on question of annexation by petition. | <p>Municipalities. Concerns any election on annexation of an area to become part of a city or town. Amended to provide internal reference back to Sections 6 through 10. Changes are that the election may not be held sooner than 85 days after the call and the election must be held on a primary or general election day. Current law allows a special election.</p> <p>NEW DECISION POINT: Also eliminates requirement for a separate ballot. By request of MACR.</p> | <p style="text-align: center;">X</p> <p style="text-align: center;">???</p> |
| 25. | 7-2-4606. Resolution of annexation. | <p>Municipalities. Clean up of terms.</p> | <p style="text-align: center;">No substantive changes.</p> |
| 26. | 7-2-4733. Vote required on proposed capital improvements | <p>Municipalities. Concerns election on question of annexation to city. Conforms election to standard sections 6 through 10, so election must be held on primary or general election day and may not be held sooner than 85 days after the election is called. Current law in 7-2-4904 simply says the election shall be conducted in the same manner as regular city or town elections.</p> | <p style="text-align: center;">X</p> |
| 27. | 7-2-4902. Disincorporation by election. | <p>Municipalities. Concerns election on disincorporating a city or town. Amended to provide internal reference back to Sections 6 through 10. Requires the election to be held on a primary or general election day and that it not be held sooner than 85 days after the call. Current law requires a special election but does not specify when. Because current generally applicable law sometimes refers to a special election as being held on primary or general election day, it is hard to discern whether this election “must” or “may” be held on a primary or general election day.</p> | <p style="text-align: center;">X</p> |
| 28. | 7-2-4904. Details of election on disincorporation <u>Ballot form.</u> | <p>Municipalities. Concerns election on disincorporating a city or town. Clean up. Language on conduct of election is more appropriately provided in revisions to 7-2-4902.</p> | <p style="text-align: center;">No substantive changes.</p> |

| Section No. | MCA Section - Catchline | Summary of Revisions | Substantive change in current law |
|-------------|---|---|-----------------------------------|
| 29. | 7-3-103. Amendment of self-government charter or adopted alternative form of government. | Counties and cities. Concerns election on charter or an alternative form of local government. Cleanup to provide internal reference 7-3-125 and strike redundant language. | No substantive changes. |
| 30. | 7-3-125. Petition for alteration. | Counties and cities. Concerns election to alter a local form of government. Clean up to strike redundant language. | No substantive changes. |
| 31. | 7-3-149. Election on alteration of form of government. | Counties and cities. Concerns election to alter a local form of government. Amended to provide internal reference back to Sections 6 through 10. Substantive change is to strikes specific reference to election being called 75 days before election. Effect is to require election to be held on primary or general election that is at least 85 days after the call for the election. | X |
| 32. | 7-3-155. Three-year moratorium. | Counties and cities. Concerns election to alter a local form of government. Clean up. | No substantive changes. |
| 33. | 7-3-160. Election of new officials. | Counties and cities. Concerns election of new officials after electors have approved a change in the form of a local government. Provides internal reference back to Sections 6 through 10 and primary and general election sections. NEW DECISION POINT: Substantive change is to conform section to standard of <u>first</u> election of officers not to involve a primary election. See 7-2-4106. Is this OK?. | ??? |
| 34. | 7-3-173. Establishment of study commissions. | Counties and cities – study of alternative form. Concerns election on whether to have a study commission to consider altering form of government. Cleanup to move date and procedure for election to 7-3-174. | No substantive changes. |

| Section No. | MCA Section - Catchline | Summary of Revisions | Substantive change in current law |
|-------------|--|--|-----------------------------------|
| 35. | 7-3-174. Election <u>dates and procedures.</u> | Counties and cities – study of alternative form. Concerns election procedures on whether to have a study commission examine an alternative form of local government and on the election of study committee members. Specifies date on question of forming study commission is same as primary, date for election of commission members is same as general, as is specified in 7-3-175. Specifies election must be conducted in accordance with Title 13. | No substantive changes. |
| 36. | 7-3-175. Election on question of <u>establishing study commission Ballot form and question.</u> | Counties and cities – study of alternative form. Concerns election on whether to have a study commission to consider changing form or local government. Strikes language concerning a “special election” for study commission members. This clarifies the use of the term “special” and conforms to current law in 7-2-176. | No substantive changes. |
| 37. | 7-3-176. Election of commission members – <u>appointments.</u> | Counties and cities – study of alternative form. Concerns election of study commission members. Requires candidates to file at least 85 days before the election instead of 75 days before to conform the section to the standard changes in the primary election laws. Internal reference to [section 7]. | X |
| 38. | 7-3-178. Term of office -- vacancies -- compensation. | Counties and cities – study of alternative form. Concerns terms for study commission members. Strikes a subsection that seems to conflict with the previous subsection. | No substantive changes. |
| 39. | 7-3-186. Study commission timetable. | Counties and cities – study of alternative form. Clean up of reference to a special election. | No substantive changes. |
| 40. | 7-3-187. Final report. | Counties and cities – study of alternative form. Clean up of reference to when election is held if study commission final report recommends a change in the form of government. | No substantive changes. |
| 41. | 7-3-192. Election on recommendation. | Counties and cities – study of alternative form. Clean up of when election on study commission recommendations must be held. | No substantive changes. |
| 42. | 7-3-1205. Certification of petition -- board action -- <u>election.</u> | City-County Consolidation – Option 2 Concerns election on consolidation. Inserts reference to Sections 6 through 10. | No substantive changes. |

| Section No. | MCA Section - Catchline | Summary of Revisions | Substantive change in current law |
|-------------|---|--|-----------------------------------|
| 43. | 7-3-1206. Form of ballot. | City-County Consolidation – Option 2 Concerns City-County consolidation election ballot. Updates language concerning printed ballots. | No substantive changes. |
| 44. | 7-3-1208. Election of commission upon favorable vote. | City-County Consolidation – Option 2 Concerns first election of commissioners for new consolidated city-county government. Inserts reference to Sections 6 through 10 and candidate filing deadline in [section 7]. Standardizes candidate filing deadline as 85 days before election. Current law simply references “general elections”. | X |
| 45. | 7-3-1209. Resolution declaring creation of consolidated government. | City-County Consolidation – Option 2 Deletes reference to special election. Definition of “special election” has changed. | No substantive changes. |
| 46. | 7-3-1216. Term of office of commission members. | City-County Consolidation – Option 2 Deletes reference to special election. Definition of “special election” has changed. | No substantive changes. |
| 47. | 7-3-1218. Meetings of commission. | City-County Consolidation – Option 2 Deletes reference to special election. Definition of “special election” has changed. | No substantive changes. |
| 48. | 7-3-1219. Organization and officers of commission. | City-County Consolidation – Option 2 Deletes reference to special election. Definition of “special election” has changed. | No substantive changes. |
| 49. | 7-3-1229. Submission of initiative measure to electors. | City-County Consolidated Government Concerns submitting question to voters. Strikes reference to election on primary or general election. Inserts internal reference to new standard sections 6 through 10. | No substantive changes. |
| 50. | 7-3-1231. Action on referendum petition. | City-County Consolidated Government Concerns submitting question to voters. Strikes reference to election on primary or general election. Inserts internal reference to new standard sections 6 through 10. | No substantive changes. |
| 51. | 7-3-1254. Nonpartisan nature of government. | City-County Consolidated Government Strikes improper reference to “primary or” election laws. | No substantive changes. |

| Section No. | MCA Section - Catchline | Summary of Revisions | Substantive change in current law |
|-------------|--|---|-----------------------------------|
| 52. | 7-3-1271. General provisions related to elections. | City-County Consolidated Government Strikes improper reference to “general” election laws. | No substantive changes. |
| 53. | 7-3-4208. Petition to organize under commission form -- election required. | Municipal Commission Government. Inserts reference to new standard sections 6 through 10. Deletes reference to special election. Definition of “special election” has changed. | No substantive changes. |
| 54. | 7-3-4210. Form of ballot. | Municipal Commission Government. Updates language about printed ballots. Deletes reference to special election. Definition of “special election” has changed. | No substantive changes. |
| 55. | 7-3-4212. Effect of vote on question. | Municipal Commission Government. Deletes reference to special election. Definition of “special election” has changed. | No substantive changes. |
| 56. | 7-3-4214. First term of office. | Municipal Commission Government. Deletes reference to special election. Definition of “special election” has changed. Clarifies that term begins after election results are certified. Replaces reference to “regular” election with correct reference to “general” election. | No substantive changes. |
| 57. | 7-3-4222. Adoption of ordinances. | Municipal Commission Government. Inserts reference to new standard sections 6 through 10. Deletes reference to special election. Definition of “special election” has changed. | No substantive changes. |
| 58. | 7-3-4223. Granting of franchises. | Municipal Commission Government. Inserts reference to new standard sections 6 through 10. Deletes reference to special election. Definition of “special election” has changed. | No substantive changes. |
| 59. | 7-3-4305. Petition to organize under commission-manager form -- election required. | Municipal Commission-Manager Government. Inserts reference to new standard sections 6 through 10 and specific reference to [section 9] concerning election date. Deletes reference to special election. Definition of “special election” has changed. | No substantive changes. |
| 60. | 7-3-4307. Form of ballot. | Municipal Commission-Manager Government. Updates language about printed ballots. Deletes reference to special election. Definition of “special election” has changed. | No substantive changes. |

| Section No. | MCA Section - Catchline | Summary of Revisions | Substantive change in current law |
|-------------|---|---|-----------------------------------|
| 61. | 7-3-4309. Effect of vote on question of organization. | Municipal Commission-Manager Government. Deletes reference to special election. Definition of “special election” has changed. | No substantive changes. |
| 62. | 7-3-4310. Special election <u>Election for municipal officers.</u> | Municipal Commission-Manager Government. Concerns first election of officers after reorganization. Strikes reference to special election. Definition of “special election” has changed. Inserts internal reference to standard sections 6 through 10. Clarifies that a primary election is not held. Strikes redundant and unnecessary language. Inserts language on when term expires for first commission members and specifies that a primary is held for subsequent elections of commissioner members because current law is not explicit. Changes public notice requirements to conform with standard section 13-1-108 but still retains requirement to post notice in 6 public places. | X |
| 63. | Procedure for multimunicipality organization -- <u>election – elector qualifications.</u> | Municipal Commission-Manager Government. Multimunicipality organization. Changes election notice requirements to conform with notice requirements in Section 13-1-108 but still retains requirement to post notice in 6 public places. Strikes reference to special election. Definition of “special election” has changed. Inserts internal reference to standard sections 6 through 10. | X |
| 64. | 7-3-4316. Term of office for commissioners. | Municipal Commission-Manager Government. Single municipal districts. Strikes reference to special election. Definition of “special election” has changed. | No substantive changes. |
| 65. | 7-3-4319. Designation of mayor. | Municipal Commission-Manager Government. Single municipal districts. Strikes reference to “regular” election, inserts correct term “general” election. | No substantive changes. |
| 66. | 7-3-4322. Meetings of commission. | Municipal Commission-Manager Government. Single municipal districts. Strikes reference to “regular” election, inserts correct term “general” election. | No substantive changes. |

| Section No. | MCA Section - Catchline | Summary of Revisions | Substantive change in current law |
|-------------|---|--|-----------------------------------|
| 67. | 7-3-4462. Office of city judge. | Municipal Commission-Manager Government. Strikes reference to “regularly scheduled” election. Inserts appropriate reference to “general” election. | No substantive changes. |
| 68. | 7-5-132. Procedure for initiative of referendum election. | Local Government Ordinances etc. This section overlaps with 7-5-136, about submission of ordinances to electors. 7-5-136 will be repealed and its substantive portions incorporated into this section. Inserts reference to Sections 6 through 10. | No substantive changes. |
| 69. | 7-5-4321. Grant of exclusive franchise -- election required. | Municipal contracts and franchises. Strikes “regular or primary” election. Inserts appropriate reference to “general or primary” and to election being conducted according to standard sections 6 through 10. | No substantive changes. |
| 70. | 7-5-4322. Election on question of granting franchise. | Municipal contracts and franchises. Strikes language moved elsewhere. | No substantive changes. |
| 71. | 7-6-1501. Resort tax -- definitions <u>Definitions.</u> | Resort districts. A resort tax part will be established through codification instructions. Consolidates current law definitions into this section to apply to entire part. | No substantive changes. |
| 72. | 7-6-1502. Resort community taxing authority -- specific delegation. | Resort districts. Inserts “qualified” before “elector” for proper usage of the defined term “qualified elector”. | No substantive changes. |
| 73. | 7-6-1504. Resort tax -- election required - - procedure -- notice. | Resort districts. Inserts “qualified” before “elector” for proper usage of the defined term “qualified elector”. Inserts reference to new special district election statutes in Title 13 - Sections 1 through 5. Strikes language on public notice and conforms public notice to standard provisions in 13-1-108. | X |
| 74. | 7-6-1505. Resort tax administration. | Resort districts. Inserts “qualified” before “elector” for proper usage of the defined term “qualified elector”. | No substantive changes. |

| Section No. | MCA Section - Catchline | Summary of Revisions | Substantive change in current law |
|-------------|--|--|-----------------------------------|
| 75. | 7-6-1506. Use of resort community tax revenue -- bond issue -- pledge. | Resort districts. Strikes unneeded internal reference to the definition section, which will apply to all sections in the part. | No substantive changes. |
| 76. | 7-6-1508. Establishment of a resort area -- taxing authority -- approval by <u>qualified</u> electorate. | Resort districts. Clean up. Also inserts “qualified” before “elector” for proper usage of the defined term “qualified elector”. No substantive changes. | No substantive changes. |
| 77. | 7-6-1509. Use of resort area tax. | Resort districts. Inserts “qualified” before “elector” for proper usage of the defined term “qualified elector”. No substantive changes. | No substantive changes. |
| 78. | 7-6-1532. Resort area district authorized. | Resort districts. Inserts “qualified” before “elector” for proper usage of the defined term “qualified elector”. Fixes internal reference because 7-6-1531 is repealed. No substantive changes. | No substantive changes. |
| 79. | 7-6-1533. Petition to create resort area district. | Resort districts. Clean up to ensure proper use of “qualified elector” as defined term. No substantive changes. | No substantive changes. |
| 80. | 7-6-1535. Resort area district -- hearing on petition. | Resort districts. Fixes internal reference because 7-6-1531 is repealed. No substantive changes. | No substantive changes. |
| 81. | 7-6-1536. Resort area district -- election required -- notice. | Resort districts. Fixes internal reference because 7-6-1531 is repealed. Inserts reference to Sections 1 through 5, strikes redundant or conflicting language. Substantive change is to change election date to regular school election day instead of with primary or general election. | X |
| 82. | 7-6-1541. General powers of resort area district. | Resort districts. Strikes internal references not needed because “resort area district” is defined for the part. and replaces with correct internal reference. Inserts reference to Sections 1 through 6. Ensures proper usage of “qualified elector” defined term. Strikes reference to repealed section, 7-6-1531. | No substantive changes. |

| Section No. | MCA Section - Catchline | Summary of Revisions | Substantive change in current law |
|-------------|--|--|-----------------------------------|
| 83. | 7-6-1542. Resort area district board powers related to administration and expenditure of resort tax revenue -- authorization to issue bonds -- election -- restrictions. | Resort districts. Cleanup. Inserts reference to Sections 1 through 5 for election concerning bond issue. | No substantive changes. |
| 84. | 7-6-1543. Resort area district to be governed by board -- composition -- qualifications -- term of office. | Resort districts. Clean up reference to “regular” election. | No substantive changes. |
| 85. | 7-6-1544. Resort area district board — term. election | Resort districts. Insert references to appropriate new sections on special district elections within Sections 1 through 6. . Strikes redundant language on terms. Substantive change is that change candidate filing deadlines will conform to standard sections and be between 145 days to 85 days before election. Also, election must be on regular school election day and not with a primary or general. | X |
| 86. | 7-6-1546. Resort area district board -- vacancy. | Resort districts. Inserts reference so election for board members is conducted as provided in Sections 1 through 5; clarifies that an appointed member must stand for election as soon as possible. | No substantive changes. |
| 87. | 7-6-1548. Referendum to dissolve resort area district. | Resort districts. Inserts “qualified” before elector to use defined term. States referendum must be conducted in accordance with Sections 1 through 5. | No substantive changes. |

| Section No. | MCA Section - Catchline | Summary of Revisions | Substantive change in current law |
|-------------|--|--|-----------------------------------|
| 88. | 7-6-1551. Annexation of property into a resort area district -- <u>election</u> | Resort districts. States election on annexation must be held in accordance with New Sections 1 through 5. Strikes language about qualifications of voters because it will use the defined term of "qualified elector". Substantive change is from the election having to be held on the primary or general election day to being held on the school election day. | X |
| 89. | 7-7-2223. Election required for issuance of certain bonds. | County bonds. Requires the election on issuance of certain county bonds be conducted in accordance with standard sections 6 through 10. | No substantive changes. |
| 90. | 7-7-2227. Examination of petition – resolution calling for election. | County bonds. Clean up to conform with previous changes. | No substantive changes. |
| 91. | 7-7-2229. Notice of election. | County bonds. Substantive change - strikes language that overlaps with 13-1-108 and standardizes notice provisions. Strikes requirement of providing "separate notice" of a bond election. Retains requirements that notice include the amount and purpose of the bond and other details. | X |
| 92. | 7-7-2237. Percentage of electors required to authorize bond issue. | County bonds. Strikes election language that is redundant, inserts reference back to 7-7-2223, which has the election provisions. | No substantive changes. |
| 93. | 7-7-2404. Notice of election. | County loans. Clarifies that election notice will be done in accordance with 13-1-108. | No substantive changes. |
| 94. | 7-7-2405. Form of ballots. | County loans. Updates language. | No substantive changes. |
| 95. | 7-7-2406. Conduct of election and canvass of results. | County loans. Updates language. Reference inserted to New Sections 6 through 10. | No substantive changes. |

| Section No. | MCA Section - Catchline | Summary of Revisions | Substantive change in current law |
|-------------|--|---|-----------------------------------|
| 96. | 7-7-4226. Resolution to submit question of issuing bonds to voters. | Municipal bonds. Requires election to be conducted in accordance with Sections 5 through 10. Substantive change is that the election is not restricted to next primary or general election day. Governing body can decide when to hold election. | X |
| 97. | 7-7-4227. Notice of election. | Municipal bonds. Ensures notice of election is as provided in 13-1-108. Strikes requirement for "separate notice". Strikes discretionary language about posting notice in each precinct at least 10 days prior to election, which is unnecessary language because nothing would prohibit this. | X |
| 98. | 7-7-4235. Percentage of electors required to authorize issuing of bonds. | Municipal bonds. Strikes redundant language about conduct of election which is already in 7-7-4226. | No substantive changes. |
| 99. | 7-7-4426. Authorization for undertaking and issuance of bonds. | Municipal revenue bonds. Election must be conducted in accordance with [sections 6 through 10]. Substantive change is that a mail ballot election is not required and election may be held at any time, not necessarily on same day as primary or general election. | X |
| 100. | 7-8-4201. Disposal or lease of municipal property -- <u>election</u> . | Municipal property. Election must be held in accordance with [sections 6 through 10]. Substantive change is that election may be held at any time instead of only on same day as primary or general election. | X |
| 101. | 7-10-101. Regional resource authorities -- purpose = <u>definition of qualified elector</u> . | Regional resource authorities. Properly use defined term of "qualified elector". | No substantive changes. |
| 102. | Authorization <u>Petition</u> to create or expand regional resource authorities. | Regional resource authorities. Properly use defined term of "qualified elector". | No substantive changes. |

| Section No. | MCA Section - Catchline | Summary of Revisions | Substantive change in current law |
|-------------|--|--|-----------------------------------|
| 103. | 7-10-104. Regional resource authority or expansion -- election required -- notice. | Regional resource authorities. Inserts reference back to New Sections 1 through 5. Substantive change is to require election to be held on same day as school election rather than on same day as a primary or general election. | X |
| 104. | 7-10-110. Governing body of regional resource authority -- <u>initial appointment</u> -- <u>subsequent election</u> . | Regional resource authorities. Inserts reference back to New Sections 1 through 5. Substantive change is that election after initial appointment must be held on same day as school election. Current statute does not specify the election day. | X |
| 105. | 7-11-1011. Referendum -- <u>conduct of election on creating special district</u> . | Special districts. Statute applies to all “special districts” as listed in 7-11-1002. Requires elections to be in accordance with New Sections 1 through 5]. Substantive change is that the election must be held on school election day rather than on same day as primary or general election or as a special mail ballot election. | X |
| 106. | 7-11-1012. Certificate of establishment. | Special districts. Simple change to internal reference needed due to amendment in 7-11-1011. | No substantive changes. |
| 107. | 7-12-4243. Procedure to create and maintain supplemental revolving fund -- <u>election required</u> -- <u>qualified electors defined</u> . | Business improvement districts. Substantive change is to require the election to be held on same day as school election rather than on primary or general election day. | X |
| 108. | 7-13-2201. Definitions. | County water and/or sewer districts. Clean up and consolidate current law definitions. | No substantive changes. |
| 109. | 7-13-2204. Petition to create water and/or sewer district. | County water and/or sewer districts. Properly use defined term of “qualified elector”. | No substantive changes. |

| Section No. | MCA Section - Catchline | Summary of Revisions | Substantive change in current law |
|-------------|--|--|-----------------------------------|
| 110. | 7-13-2208. Decision on petition -- election required -- exception. | County water and/or sewer districts. Requires election on incorporation of county water and/or sewer district be held in accordance with [section 6 through 10]. Substantive change is the election must be on school election day rather than on primary or general election day or on a special day. May still be a mail ballot on school election day. | X |
| 111. | 7-13-2210. Notice of election. | County water and/or sewer districts. Clarifies current language and inserts reference to standard public notice section 13-1-108. | No substantive changes. |
| 112. | 7-13-2211. Conduct of election on <u>Ballot</u> question of <u>for</u> creating district. | County water and/or sewer districts. Revises section to focus on ballot form, strikes redundant language. | No substantive changes. |
| 113. | 7-13-2214. Order creating district upon sufficient favorable vote. | County water and/or sewer districts. Strikes redundant language about elector qualifications. | No substantive changes. |
| 114. | 7-13-2217. General powers of water and/or sewer district. | County water and/or sewer districts. Strikes unnecessary language because "board of directors" will be a defined term. See changes to 7-13-2201. | No substantive changes. |
| 115. | 7-13-2222. Applicability of general election laws. | County water and/or sewer districts. Strikes redundant language about qualified electors. Inserts reference to new [sections 1 through 5] and provides that all county water and/or sewer district elections will be in accordance with these standard sections. | No substantive changes. |
| 116. | 7-13-2225. Combination of elections. | County water and/or sewer districts. Strikes redundant language and uses correct internal references. | No substantive changes. |

| Section No. | MCA Section - Catchline | Summary of Revisions | Substantive change in current law |
|-------------|---|--|-----------------------------------|
| 117. | 7-13-2231. District to be governed by board of directors. | County water and/or sewer districts. Strikes redundant language and clarifies current law provisions. Requires election of board to be in accordance with standard provisions in new [sections 1 through 5]. Board member elections would have to be held on the same day as a school election , but could still be conducted by mail. Current law provides that the election is on the same day as a primary or general election, or conducted by mail. | X |
| 118. | 7-13-2234. Term of office. | County water and/or sewer districts. Strikes redundant and outdated language. | No substantive changes. |
| 119. | 7-13-2241. Filing of petition of nomination. | County water and/or sewer districts. Conforms candidate filing with standard sections. Substantive change is time period for filing a petition of nomination will be 145 days to 85 days before the election rather than 135 days to 75 days before the election. Also strikes requirement for nominating petitions signed by other electors in order to file. | X |
| 120. | 7-13-2261. Recall of officers. | County water and/or sewer districts. Use defined term of "qualified elector". | No substantive changes. |
| 121. | 7-13-2262. Insufficient candidates -- vacancies on board of directors -- appointment of entire board. | County water and/or sewer districts. Strikes language that is now contained in the standard new [section 7] and inserts internal references to [section 7] concerning canceling election for insufficient candidates and election by acclamation. Strikes language about nominating petitions. Nominating petitions signed by electors will no longer be required. | X |
| 122. | 7-13-2271. Organization of board of directors. | County water and/or sewer districts. Updates language concerning first meeting of a new board and strikes "first general" in front of "election" because th election will be held on school election day, not at a general election. | No substantive changes. |
| 123. | 7-13-2272. Duties of board president. | County water and/or sewer districts. Use defined term of "qualified elector". | No substantive changes. |

| Section No. | MCA Section - Catchline | Summary of Revisions | Substantive change in current law |
|-------------|---|--|-----------------------------------|
| 124. | 7-13-2273. Compensation of members of board -- approval by voters of district. | County water and/or sewer districts. Use defined term of “qualified elector”. Strikes redundant language about conduct of election, which is not needed because of consolidation of provisions in 7-13-2222. Substantive revisions will require adherence to standard public notice provision on elections in 13-1-108 if a full election is held on board member salaries instead of an election at the annual meeting. | X |
| 125. | 7-13-2276. Right of initiative and referendum. | County water and/or sewer districts. Use defined term of “qualified elector”. | No substantive changes. |
| 126. | 7-13-2321. Procedure to incur bonded indebtedness. | County water and/or sewer districts. Use defined term of “qualified elector”. | No substantive changes. |
| 127. | 7-13-2323. Election on question of incurring bonded indebtedness. | County water and/or sewer districts. Requires election on question of bonded indebtedness to be held in accordance with standard new [Section 7]. The substantive change is that the election may not be held in conjunction with a primary or general, but must be held on a special day or on the same day as a school election. | X |
| 128. | 7-13-2324. Notice of election on incurring bonded indebtedness. | County water and/or sewer districts. Clarifies current law on public notice of election on bonded indebtedness by reorganizing the subsections and eliminating the word “published” because notice can also be broadcast. | No substantive changes. |
| 129. | 7-13-2328. Sufficient vote required to issue bonds. | County water and/or sewer districts. Strikes language that is unnecessary because “qualified elector” will be defined term. | No substantive changes. |
| 130. | 7-13-2333. Issuance of revenue or special assessment bonds without election. | County water and/or sewer districts. Use defined term of “qualified elector”. | No substantive changes. |

| Section No. | MCA Section - Catchline | Summary of Revisions | Substantive change in current law |
|-------------|--|--|-----------------------------------|
| 131. | 7-13-2341. Addition of land to district -- election required | <p>County water and/or sewer districts. Strikes language about conduct of election that is not needed because of 7-13-2222 and defined term of “qualified elector”. Change is that the election on adding land to the district would be held on the same day as a school trustee election, not with a primary or general and not on a special day.</p> | X |
| 132. | 7-13-2342. Consolidation of county water and/or sewer districts -- <u>election required.</u> | <p>County water and/or sewer districts. Language about conduct of election not needed because of 7-13-2222 and defined term of “qualified elector”. Substantive change is to conform with new requirement for elections to be held no earlier than 85 days after the call of the election, so strikes ability for election to be called within 70 days of the election. And, election would be on school election day or on a special day rather than on a primary or general election day.</p> | X |
| 133. | 7-13-2352. Dissolution of district by special election. | <p>County water and/or sewer districts. Deletes reference to “special” election because of redefinition of “special election” in 13-1-101. Language about conduct of election not needed because of 7-13-2222.</p> | No substantive changes. |
| 134. | 7-13-4204. Rental charges for use of sewer system -- election required. | <p>Public sewer systems. Qualified electors is not defined for this part so need to clarify the language about who is eligible to vote. Inserts reference to conduct of election being in accordance with [sections 1 through 5]. Substantive change is that election must be held on school election day or on a special day rather than on primary or general election day.</p> | X |
| 135. | 7-13-4511. Sufficient protest to require referendum. | <p>Municipal sewage and/or water systems. Section allows owners to petition for an election. Use “elector” to mean person qualified to vote and “voter” as a person who actually votes. Insert reference to election being conducted in accordance with [sections 1 through 5]. Substantive change is that election must be held on school election day or on a special day rather than on primary or general election day.</p> | X |

| Section No. | MCA Section - Catchline | Summary of Revisions | Substantive change in current law |
|-------------|--|---|-----------------------------------|
| 136. | 7-13-4512. Referendum. | Municipal sewage and/or water systems. Section allows commissioners to pass a resolution calling for an election. Use “elector” to mean person qualified to vote and “voter” as a person who actually votes. Insert reference to election being conducted in accordance with [sections 1 through 5]. Substantive change is that election must be held on school election day or on a special day rather than on primary or general election day. | X |
| 137. | 7-13-4535. Referendum to abolish local water quality district or joint local water quality district -- termination procedures. | Municipal sewage and/or water systems. Section allows owners to petition for an election. Use “elector” to mean person qualified to vote and “voter” as a person who actually votes. Insert reference to election being conducted in accordance with [sections 1 through 5]. Substantive change is that election must be held on school election day. | X |
| 138. | 7-14-210. Election on question of creating urban transportation district or addition to a district. | Urban transportation districts. Insert reference to election being conducted in accordance with [sections 1 through 5]. Substantive change is that election must be held on school election day. | X |
| 139. | 7-14-211. Conduct of election on question of creating district <u>Ballot form.</u> | Urban transportation districts. Strikes redundant language on conduct of election. Clean up on ballot form language. | No substantive changes. |
| 140. | 7-14-212. District to be governed by transportation board -- <u>election of board.</u> | Urban transportation districts. Inserts reference to [sections 1 through 5]. Substantive change is that election must be held on school election day. Strikes language that implies a primary election is required. | X |
| 141. | 7-14-214. Election of members of transportation board. | Urban transportation districts. Strikes requirement that a person must collect signatures from 25 qualified electors in order to file as a candidate. | X |

| Section No. | MCA Section - Catchline | Summary of Revisions | Substantive change in current law |
|-------------|---|---|-----------------------------------|
| 142. | 7-14-1106. Election of local port authority commissioners. | Port authorities. Inserts reference to [sections 1 through 5]. Substantive change is that election must be held on school election day and candidate filing petitions will have to be 145 days to 85 days before instead of 75 days before. Strikes requirement that a person collect signatures from 25 qualified electors in order to file as a candidate. | X |
| 143. | 7-14-1134. Method of funding deficiency -- <u>election required.</u> | Port authorities. Strikes language that about conduct of election that is covered by amendments to 15-10-425, which is already referenced in the section. The combined effect is to require the election to be held on school election day or as a special election rather than with a primary or general election. | X |
| 144. | 7-14-1633. Election required to impose mill levy. | Railway authorities. Inserts reference to [sections 1 through 5]. Replaces generic reference to general election laws. Change is to require the election to be held on school election day or as a special election rather than with a primary or general election. | X |
| 145. | 7-14-2507. Qualifications to vote on mill levy question of additional mill levy. | County roads and bridges. Clean up language about who is eligible to vote in election on mill levy for county roads and bridges. Fixes internal reference. Substantive change is to strike requirement for proof of registration by 20 days prior to the election. | X |
| 146. | 7-14-4512. Referendum on parking meters prior to enacting ordinance. | Municipal parking. Inserts reference to [sections 6 through 10] on local government elections. Substantive change is that, unless the election concerns an ordinance on funding of parking meters, an election on a parking meter ordinance must be held on same day as a primary or general election or as a special election. This is not a special district election. | X |
| 147. | 7-14-4642. Election required to issue revenue bonds. | Parking Commissions. Inserts reference to [sections 6 through 10] on local government elections. Substantive change is to allow the election to be called for a special day rather than having to be held on a primary or general election day, because it is a funding election. This is not a special district election. | X |

| Section No. | MCA Section - Catchline | Summary of Revisions | Substantive change in current law |
|-------------|--|--|-----------------------------------|
| 148. | 7-16-2102. Authorization for tax levy for parks and certain cultural, social, and recreational facilities. | Counties – culture, social services and recreation. Concerns a mill levy election for county fairs, cultural activities and recreation. Strikes references to general election. Strikes references to general election. Election would be conducted as provided in 15-10-425 (see Section 178). Substantive change is that the election could be held as a special election, or an election held in conjunction with the primary or general, not just during a general election. | X |
| 149. | 7-16-2109. Single assessment for county fair activities, county parks, and certain cultural, social, and recreational facilities -- restriction. | Counties – culture, social services and recreation. Concerns a mill levy election for a <u>single assessment</u> of a tax for county fairs, cultural activities and recreation. Strikes references to general election. Election would be conducted as provided in 15-10-425. Substantive change is that the election could be held as a special election, or an election held in conjunction with the primary or general, not just during a general election. | X |
| 150. | Details relating to board of trustees of fire district -- <u>election -- qualified electors.</u> | Rural fire districts. Concerns election of board of trustees. Inserts reference to [sections 1 through 5]. Reorganizes section for clarity. Strikes language about canceling election because it is covered in [section 2]. Substantive changes are: candidate filing changed from 75 days before the election to standard in [section 2], which is between 145 days to 85 days before the election, requires election to be held on school election day rather than with a primary or general, strikes requirement for signatures from 5 qualified electors to file as a candidate. | X |
| 151. | 7-34-2110. Resolution calling for election. | Hospital districts. Concerns election to create a hospital districts. Conforms section to new [sections 1 through 5]. Substantive change is to require election on whether to create a hospital district to be held on school election day rather than on primary or general election day. | X |
| 152. | 7-34-2112. Conduct of election on question of creating district Ballot form. | Hospital districts. Concerns the ballot for the election to create a hospital district. Strikes redundant language so section applies only to ballot form for election to create a hospital district. | No substantive changes. |

| Section No. | MCA Section - Catchline | Summary of Revisions | Substantive change in current law |
|-------------|---|--|-----------------------------------|
| 153. | 7-34-2117. Procedure for conduct of election for trustees -- appointment of trustees. | <p>Hospital districts.</p> <p>Concerns trustee election. Inserts reference to new [sections 1 through 5]. Substantive change of candidate filing deadline from 75 days before the election to from 145 days to 85 days before the election. Requires election to be held on school election day rather than on a primary or general election day. Strikes requirement for signatures from 5 qualified electors to file as a candidate.</p> | X |
| 154. | 13-1-101. Definitions. | <p>Title 13. Defined terms.</p> <p>Rewrites definitions for “federal election”, “general” or “regular election”, “primary election”, and “special elections”. Creates definitions for “regular school election” and “special purpose district”. Strikes unclear language that is substantive and not appropriate for a definition section, so that the substantive provisions can be placed in the appropriate statutes. Substantive change from current law is that “special election” will now be clarified as an election held on a special day and not in conjunction with a primary, general, or school election. Under current law, a special election can be held on a primary or general election day, which is confusing when the election involves special purpose district officers who are not elected through a primary and general election process. Also, a “special purpose district” definition encompasses all types of special districts, and not just those “special districts” as defined 7-11-1002, which relate to certain aspects of governance structure, but does not suffice for the purposes of elections.</p> | X |
| 155. | 13-1-104. Times for holding general elections. | <p>Title 13 – General election.</p> <p>Revises language for clarity that a general election is a day on which elections are held to fill offices for which there is normally a primary election first. The timetables for holding general elections are not changed. Most of the inserted language is taken from the current law definition of “general election”.</p> | No substantive changes. |
| 156. | 13-1-106. Time of opening and closing of polls for all elections -- exceptions. | <p>Title 13 - Polling hours.</p> <p>Internal reference clean up.</p> | No substantive changes. |

| Section No. | MCA Section - Catchline | Summary of Revisions | Substantive change in current law |
|-------------|---|---|-----------------------------------|
| 157. | 13-1-107. Times for holding primary elections -- cost of municipal election. | Title 13 – Primary elections. Language clean up to clarify when primary elections are held and that a municipality always pays for its elections. There is no change is the primary election timetables. | No substantive changes. |
| 158. | 13-1-108. Notice of special political subdivision elections. | Title 13 – Political subdivision and school elections. Concerns public notice provisions. Substantive change. Broadens application of this section on election notice to encompass and update current practices, which results in expansion of time frame for notice of school district elections from between 30 and 20 days to between 40 and 10 days (see 20-20-204). However, special language concerning what must be included in the notice for certain elections will not be stricken in the specific statutes, so those provisions will not change. | X |
| 159. | 13-1-301. Election administrator. | Title 13 – Election administration. Strikes internal references that are no longer needed. Strikes redundant language. | No substantive changes. |
| 160. | 13-1-401. <u>School district and political subdivision election cooperation</u> | Title 13 – Election administration. Revises and updates language for clarity about cooperation between political subdivisions and school districts when conducting a polling place election on the same day. NEW DECISION POINT: Stakeholders requested retaining the word “may” instead of a prior SAVA decision to change the “may” cooperate to “shall” cooperate. Rationale offered was that in some cases, they may not be able to share polling places. Is this “may” OK? | ??? |
| 161. | 13-2-304. Late registration -- late changes -- nonapplicability for school elections. | Title 13 – Voter registration. Substantive change is that late voter registration would apply to school elections run by school districts. Current law is that late voter registration applies only to school elections run by county election administrators. | X |
| 162. | 13-3-202. Definitions. | Title 13 – Accessibility of polling places. Updates internal references that changed due to other changes in the bill. | No substantive changes. |

| Section No. | MCA Section - Catchline | Summary of Revisions | Substantive change in current law |
|-------------|--|--|-----------------------------------|
| 163. | 13-10-201. Declaration for nomination -- term limitations. | <p>Title 13 – Primary elections – candidate filing. Substantive change is that candidate filing deadlines will be 145 to 85 days before the election irrespective of whether it is a federal election year. Current law provides a 135 to 75 day filing period for nonfederal election years.</p> <p>Moves</p> | X |
| 164. | 13-10-208. Certificate of primary ballot -- preparing ballot. | <p>Title 13 – Primary elections - ballot certification.</p> <p>NEW DECISION POINT: Substantive change is to establish one deadline for certification of names for the ballot. This simplifies associated timelines, such as for COPP’s notification of the secretary of state and election administrators about whether a candidate’s name may not appear on the ballot due to failure to comply with campaign reporting laws, and the deadlines for candidate withdrawal and write-in candidacy. Under current law, there is an 85- to 75-day window for the secretary of state’s certification and a 67- to 62-day window for county election administrator. Stakeholders stated that this should be simplified and that certification of names should take place on the same day for all election administrators for simplicity and to expedite ballot preparation.</p> <p>Is this OK? (Stakeholders reached consensus that this was good change.)</p> | ??? |
| 165. | 13-10-209. Arrangement and preparing of primary ballots. | <p>Title 13 – Primary elections - ballot preparation. Strikes internal reference, updates language.</p> | No substantive changes. |
| 166. | 13-10-211. Declaration of intent for write-in candidates. | <p>Title 13 – Primary and General elections – write-in candidate deadline. Strikes language concerning write-in candidate deadline for mail ballot school elections that will be revised and more appropriately inserted into 20-3-305.</p> | No substantive changes. |

| Section No. | MCA Section - Catchline | Summary of Revisions | Substantive change in current law |
|-------------|--|---|-----------------------------------|
| 167. | 13-10-325. Withdrawal from nomination. | Title 13 – Primary and General elections - candidate withdrawal deadline. Simplifies language and coordinates withdrawal deadline with standard candidate filing deadline. Strikes language no longer required. Substantive change is that the candidate withdrawal deadline will be the same for primary and general elections. Currently it is 75 days before a primary and 85 days before the general, with certain exceptions. | X |
| 168. | 13-10-326. Vacancy prior to primary election. | Title 13 – Primary – vacancy prior to primary. Substantive change to coordinate vacancy provisions prior to primary election with the now standardized 85-day candidate filing deadline. Strikes the reference to 75 days before a primary in odd years and the reference to 85 days before a primary in even years. Inserts language for contingency of what happens if the deadline for certifying a candidate’s name for the ballot has passed. | X |
| 169. | | Title 13 – Primary – vacancy after primary. Inserts needed internal reference. | No substantive changes. |
| 170. | 13-10-405. Submission and verification of petition. | Title 13 – Presidential preference primary. Updates internal references. | No substantive changes. |
| 171. | 13-12-201. Secretary of state to certify ballot. | Title 13 – General election ballot. NEW DECISION POINT - Substantive change. Subsection (1) concerning Sec. of State certification of names for ballot would apply to all general elections with respect to candidates that file with the Sec. of State, not just to federal general elections. | ??? |

| Section No. | MCA Section - Catchline | Summary of Revisions | Substantive change in current law |
|-------------|--|--|-----------------------------------|
| 172. | 13-13-205. When ballots to be available. | <p>Title 13 – Primary and General elections – absentee ballots. NEW DECISION POINT Substantive change is that for elections other than special purpose or school elections, the deadline for absentee ballot availability will be 25 days prior rather than 30 days prior to the election to all election administrators five more days to have the ballots printed.</p> <p>(Change requested by county election administrator association.)</p> <p>Availability of federal election ballots for uniformed and overseas electors is not changed. (must be sent no later than 45 days prior)</p> <p>Other changes are just cleanup.</p> | ??? |
| 173. | 13-14-112. Declarations for nomination -- fee -- filing. | <p>Title 13 – Nonpartisan elections. Updates internal references.</p> | No substantive changes. |
| 174. | 13-14-113. Filing for offices without salary or fees. | <p>Title 13 – Nonpartisan elections. Updates internal references.</p> | No substantive changes. |
| 175. | 13-14-115. Preparation and distribution of nonpartisan primary ballots -- determination on conducting primary. | <p>Title 13 – Nonpartisan elections. Updates internal reference.</p> | No substantive changes. |
| 176. | 13-15-206. Counting votes -- uniformity -- rulemaking -- definitions. | <p>Title 13 – Canvassing, returns, and certificates. Updates internal reference.</p> | No substantive changes. |

| Section No. | MCA Section - Catchline | Summary of Revisions | Substantive change in current law |
|-------------|---|---|-----------------------------------|
| 177. | 13-19-205. Written plan for conduct of election -- amendments -- approval procedures. | <p>Title 13 – Mail ballot elections Clarifies that a written plan for mail ballot elections must be submitted for each mail ballot election, rather than just a blanket or general plan. Requires that if a mail ballot election is called after the written plan has been submitted to the SOS, the election administrator must submit and amended plan.</p> | |
| 178. | 13-19-207. When materials to be mailed. | <p>Title 13 – Mail ballot elections Substantive change. Changes mailing deadline window from between 25 and 15 days before the election to 20 to 15 days before the election to conform with substantive changes in the absentee ballot mailing provisions.</p> <p>NEW DECISION POINT: Does SAVA wish to conform this section to when absentee ballots must be mailed (20 days prior) and set one day rather than a window? Same as questions presented in [sections 3 and 8]?</p> <p>Updates internal reference.</p> | <p>X</p> <p>???</p> |
| 179. | 13-35-107. Voiding election. | <p>Title 13 – Campaign practices and criminal provisions Substantive change. An election after an election has been voided may not be called less than 85 days before the election date, rather than 75 days before. This change coordinates the section with previous changes to standardize deadlines.</p> | <p>X</p> |
| 180. | 13-37-126. Names not to appear on ballot. | <p>Title 13 – Control of campaign practices. This section provides that a candidate’s name may not appear on the ballot if the candidate has failed to comply with reporting provisions.</p> <p>NEW DECISION POINT: Substantive change is to standardize when Commissioner of Political Practices must notify the election administrator if a candidate has failed to file a required report. The deadline is standardized as the deadline for certifying names for the ballot. The COPP will have only one deadline for notifying the secretary of state and election administrators regarding primary elections. But <u>retains different deadlines</u> for primary and general election. Stakeholders agreed on these changes and rationale that deadline for general election needed to allow longer period for replacement candidate to be selected.</p> | <p>???</p> |

| Section No. | MCA Section - Catchline | Summary of Revisions | Substantive change in current law |
|-------------|---|---|-----------------------------------|
| 181. | 13-37-206. Exception for certain school districts and certain special districts. | Title 13 – Control of campaign practices. Inserts “special purpose district” into list of entities not subject to campaign practice requirements and reporting. | No substantive change. |
| 182. | 15-10-425. Mill levy election. | Property tax levies. Conforms how and when a property tax levy elections may be conducted with the new standard sections and inserts appropriate internal references. The substantive change is that special purpose district mill levy elections may not be held on primary or general election day but may be held on school election day, but may still be held on a special day. | X |
| 183. | 15-65-101. Definitions. | Lodging tax. Updates internal reference. | No substantive change. |
| 184. | 16-4-420. Restaurant beer and wine license. | Beer and wine license. Updates internal reference. | No substantive change. |
| 185. | 20-1-101. Definitions. | School elections. Creates definitions for “regular school election” and “school election” and “special school election” to add clarity to school election statutes. Substantive change is that a special school election is an election on a day other than the primary, general, or regular school election. | X |
| 186. | 20-3-202. Term, oath, and vacancy. | School elections – trustees. Substantive changes is to provide that the term of office for county superintendents starts at 12:01 a.m. on January 1 following election rather than on the first Monday in January. | X |
| 187. | 20-3-301. Election and term of office. | School elections – trustees. Coordinates section with the trustee election statute on the regular school election day. | No substantive change. |

| Section No. | MCA Section - Catchline | Summary of Revisions | Substantive change in current law |
|-------------|---|--|-----------------------------------|
| 188. | 20-3-305. Candidate qualification, nomination, and withdrawal. | <p>School elections – trustees. <i>Substantive change.</i> Insert write-in candidate provision that was stricken from 13-10-211, and changes the deadline from 26th day before the election to the 31st day before the election in order to coordinate with the candidate withdrawal deadline and the ballot certification deadline. See changes in 20-20-401. Changes withdrawal deadline to day before ballot certification rather than 38 days before the election. Also, strikes language referencing need to have a nomination petition signed by certain number of electors in order to be a candidate. <u>NEW DECISION POINT:</u> NO LONGER CHANGES THE CANDIDATE FILING DEADLINE TO CONFORM TO PRIMARY AND GENERAL ELECTION DEADLINE OF 85 DAYS BEFORE THE ELECTION, SO THE DEADLINE REMAINS AT 40 DAYS BEFORE. <i>(This is based on Rep. Bennett’s instruction following discussions with school district stakeholders.)</i></p> | X ??? |
| 189. | 20-3-307. Qualification and oath. | <p>School elections – trustees. Inserts “school” to use defined term “regular school election”</p> | No substantive change. |
| 190. | 20-3-313. Election by acclamation -- notice. | <p>School elections – trustees. Update of internal references. <i>Substantive change requiring trustees to give notice of a canceled election and election by acclamation no later than 30 days before the election rather than no later than 25 days before. (Compromise between county election administrators and OPI stakeholders who participated in the working group discussions.)</i></p> | X |
| 191. | 20-3-321. Organization and officers. | <p>School elections – trustees. Inserts “school” to use defined term “regular school election”</p> | No substantive change. |
| 192. | 20-3-337. Plan for creating single-member trustee districts -- petition election. | <p>School elections – trustees. Strikes unneeded internal reference because “regular school election” is defined term.</p> | No substantive change. |
| 193. | 20-3-338. Trustees elected by single-member district. | <p>School elections – trustees. Inserts “school” to use defined term “regular school election” and strikes unneeded internal reference. <i>Substantive change is to eliminate need for candidate in single-member district to get nomination petitions signed by electors.</i></p> | X |

| Section No. | MCA Section - Catchline | Summary of Revisions | Substantive change in current law |
|-------------|---|---|-----------------------------------|
| 194. | 20-3-341. Number of trustee positions in elementary districts -- transition. | School elections – trustees. Inserts “regular” to use defined term “regular school election”. | No substantive change. |
| 195. | 20-9-426. Preparation and form of ballots for bond election. | School elections – bond election. Inserts “regular” to use defined term “regular school election”. | No substantive change. |
| 196. | 20-9-428. Determination of approval or rejection of proposition at bond election. | School elections – bond election. Clarifies terminology concerning primary, general, and mail ballot election. | No substantive change. |
| 197. | 20-9-471. Issuance of obligations -- authorization -- conditions. | School elections – bond election. Deletes inaccurate terminology concerning regular or special election. Strikes provision that ballot for bond election must be available for absentee voting 30 days before election. This will result in conformity with Title 13 provision that governs, and which provides absentee ballots must be available 20 days prior to the election. Section still includes reference to separate ballots for each bond issue purpose. Is this still desired? Separate ballot provisions were stricken elsewhere. | X |
| 198. | 20-15-203. Call of community college district organization election -- proposition statement. | Community college districts – organizational election. Conforms section to substantive change in 20-15-208 of having election conducted by a county election administrator rather than School District Clerks. Petitions for election are to be filed with county election administrator rather than Regents. But, Regents to be notified. Changes deadline for calling a community college district election to no less than 85 days before the election instead of 60 days before, for consistency with changes elsewhere, including candidate filing in other elections. Cost of initial election would be paid by the University System rather than by elementary school districts within the proposed community college district. | X |

| Section No. | MCA Section - Catchline | Summary of Revisions | Substantive change in current law |
|-------------|--|--|-----------------------------------|
| 199. | 20-15-204. Election of trustees -- districts from which elected -- terms of office. | Community college districts – trustee election. County election administrator to run community college election of trustees rather than school districts. See 20-15-208. | X |
| 200. | 20-15-207. Notice of organization election. | Community college districts – election notice. Conforms election notice requirements for community college elections to 13-1-108. County election administrator rather than Board of Regents to provide notice. (See substantive changes in 20-15-208 as amended in the bill.) | X |
| 201. | 20-15-208. Conduct of election. | Community college districts – conduct of elections. Scope of section expanded from an organizational election to all community college district elections. Requires that community college elections are conducted by the county election administrator. Requires the elections be conducted in accordance with new [sections 1 through 5]. Board of Regents is still the governing body for the initial organizational election. Community college district trustees are governing body for all subsequent elections. | X |
| 202. | 20-15-209. Determination of approval or disapproval of proposition -- subsequent procedures if approved. | Community college districts – election result duties. Conforms the section to the substantive change in 20-15-208 the provides that the county election administrator rather than the Board of Regents shall conduct the election. Strikes references to election duties of a community college district coordinator or the Regents. | X |
| 203. | 20-15-219. Qualifications for office of trustee -- nominating petitions. | Community college districts – trustee candidates. Conforms candidate filing deadline to special district election deadline...change is from at least 40 days before the election to between 145 and 85 days before. Conforms section with change in 20-15-208 for the county election administrator to conduct the election, and therefore must receive the candidate filings. Strikes the requirement that a person must collect signatures from 5 qualified electors in order to file as a candidate. | X |

| Section No. | MCA Section - Catchline | Summary of Revisions | Substantive change in current law |
|-------------|--|--|-----------------------------------|
| 204. | 20-15-221. Election of trustees after organization of community college district. | Community college districts – subsequent trustee elections. Updates internal reference to regular school election day. Conforms section to changes concerning candidate filing deadlines, election notice provisions, and election being conducted by county election administrator rather than school districts. Deletes unnecessary language concerning voting systems and printed ballots, which will be a matter determined by the county election administrator under other applicable election laws. | No substantive change. |
| 205. | 20-15-222. Results of election -- qualifying oath -- term of office. | Community college districts. Inserts “school” to use defined term “regular school election”. | No substantive change. |
| 206. | 20-15-224. Board of trustees -- organization, meetings, quorum, mileage, and seal. | Community college districts. Inserts “school” to use defined term “regular school election”. | No substantive change. |
| 207. | 20-15-225. Powers and duties of trustees. | Community college districts. Conforms section with change in 20-15-208 that county election administrator conducts the elections, rather than the trustees. Trustees still responsible for calling an election. | No substantive change. |
| 208. | 20-15-231. Annexation of territory of districts to community college district. | Community college districts. Amendments clean up internal references and conform section with previous change of county election administrator running community college elections and elections being held on same day as regular school election. | No substantive change. |
| 209. | 20-15-241. Community college service regions -- creation. | Community college districts. Conform section to previous changes and insert appropriate internal reference. Substantive change is that service region election to be held on regular school election day rather than on general election day. | X |

| Section No. | MCA Section - Catchline | Summary of Revisions | Substantive change in current law |
|-------------|---|--|-----------------------------------|
| 210. | 20-20-105. Regular school election day and special school elections -- limitation -- exception. | School elections – date of regular election. Fixes subsection outlining and terminology concerning special elections. | No substantive change. |
| 211. | 20-20-106. Poll hours. | School elections – poll hours. Updates internal references. | No substantive change. |
| 212. | 20-20-201. Calling of school election. | School elections – call. Strikes unnecessary language. Changes deadline for calling a school election from at least 40 days before the election to 70 days before to conform with deadline to request a mail ballot election. See 13-19-202. Resolution must include whether trustees are requesting a mail ballot election. Changes deadline for transmitting resolution to the county election administrator. | X |
| 213. | 20-20-204. Election notice. | School elections – notice. Conforms notice of school elections to 13-1-108 but continues to require posting in public places. Effect of change is that school election notice from one notice to three notices. And changes time-frame to between 40 and 10 days before election (instead of between 30 and 20 days). | X |
| 214. | 20-20-311. Closure of Voter registration. | School elections – voter registration. Conforms section with change in Title 13 that requires all school elections, not just school elections conducted by county election administrators, to allow late voter registration. | X |
| 215. | 20-20-312. Listing of registered electors -- late registration | School elections – voter registration. Conforms section with changes made concerning late voter registration. | X |
| 216. | 20-20-401. Trustees' election duties -- ballot certification. | School elections – ballot certification. Changes deadline for certifying names of candidates on ballot from 25 before election to 30 days before. | X |

| Section No. | MCA Section - Catchline | Summary of Revisions | Substantive change in current law |
|-------------|--|---|-----------------------------------|
| 217. | 20-20-417. Request for county election administrator to conduct election. | <p>School elections – county election administrator. Requires trustees to state in a resolution that requests the county election administrator to conduct a school election whether they are also requesting the election be conducted by mail ballot, which is consistent with the mail ballot election statute concerning governing body requesting mail ballot election. See 13-19-202.</p> <p>Requires resolution or order for an election be transmitted to the county election administrator with description of district boundaries. <i>(Note: Addresses miscommunication concerning a Simms High School District levy election.)</i></p> <p>Requires new or amended written mail ballot plan if the election is called after a written plan was already submitted. See also amendments to 13-19-205. <i>(Note: Addresses misunderstanding about need for a specific mail ballot plan for the Simms High School District levy election.)</i></p> <p>Inserts internal reference and inserts clean up language for clarity.</p> | X |
| 218. | 22-1-304. Tax levy -- special library fund - - bonds. | <p>Library district – tax levy. Changes the deadline for calling a library district levy election from 75 days before the election to 90 days before.</p> | X |
| 219. | 22-1-703. Election on creation of district. | <p>Library district – creation. Inserts reference to [sections 1 through 5] for conduct of election. Current law is not specific, references only Title 13.</p> | No substantive change. |
| 220. | 22-1-706. Election of board of trustees -- compensation -- removal -- single-member trustee districts. | <p>Library district – trustees. Inserts reference to [sections 1 through 5] for conduct of election. Changes candidate filing deadline to conform with 145 days and 85 days before the election. Strikes requirement for signatures from 5 qualified electors to file as a candidate.</p> | X |
| 221. | 22-1-708. Public library district budget -- property tax levy. | <p>Library district – tax levy. Internal reference clarification.</p> | No substantive change. |

| Section No. | MCA Section - Catchline | Summary of Revisions | Substantive change in current law |
|-------------|--|---|-----------------------------------|
| 222. | 22-1-709. Election to change maximum property tax mill levy. | Library district – mill levy change. Inserts reference to [sections 1 through 5], so allows library district levy election to be held as on a school election day or special day, but may not be on a primary or general election day. | X |
| 223. | 22-1-710. Dissolution of public library district. | Library district – dissolution. Inserts reference to [sections 1 through 5], so requires dissolution election to be held on a school election day and disallows it from being held on a primary or general election day. | X |
| 224. | 76-5-1106. Requirements to change project boundaries -- <u>election.</u> | Water conservation and flood control – change boundaries. Inserts reference to [sections 1 through 5], so requires boundary change election to be held as on a school election day, so not on a primary or general election day. | X |
| 225. | 76-15-303. Election of supervisors. | Conservation districts – supervisor election. Fixes internal references. Language cleanup. Election must be held on regular school election day. Conforms candidate filing deadline to between 145 days and 85 days instead of within 30 days after the conservation district is organized. Strikes requirement for signatures from 10 qualified electors to file as a candidate. Eliminates language allowing a primary election for nomination. | X |
| 226. | 76-15-305. Transition to seven supervisors. | Conservation districts – transition to 7 supervisors. Concerns department’s appointment of two supervisors when transitioning from a 5-member to a 7-member board. Strikes outdated language that does not seem to conform with 76-15-312, which relates to staggered terms. | X |
| 227. | 76-15-311. Governing body of district. | Conservation districts – governing body of supervisors. Strikes redundant language on terms of office also contained in 76-15-312. | No substantive change. |

| Section No. | MCA Section - Catchline | Summary of Revisions | Substantive change in current law |
|-------------|---|--|-----------------------------------|
| 228. | 76-15-312. Term of office and vacancies. | Conservation districts – terms and vacancies. Conforms elections with [sections 1 through 5], so must be held on school election day. Revises terms of office for appointed supervisors Revisions also relate to repeal of 76-15-302 on nomination petitions (no nominating petitions or primary election) and repeal of 76-15-304 on elections to fill offices of two appointed supervisors, which provisions were consolidated into 76-15-305. | X |
| 229. | 76-15-506. Bonds authorized -- election. | Conservation districts - bonds. Clean up and conform section with [sections 1 through 5]. Election may no longer be on primary or general election day, but may be a special election as allowed in current law. | X |
| 230. | 76-15-605. Board decision. | Conservation districts – special project area creation. Conforms election on a project area to [sections 1 through 5]. Election must be on regular school election day. | X |
| 231. | 85-7-1702. Election or appointment of commissioners -- term of office. | Irrigation districts – commissioner election. Clean up and conform section with [sections 1 through 5]. Strikes language redundant with [sections 1 through 5]. Substantive change is that the election must be on regular school election day rather than on a primary or general election day. Strikes requirement for signatures from 5 qualified electors to file as a candidate. | X |
| 232. | 85-7-1712. Special elections Call for an election. | Irrigation districts – call. Conform section with [sections 1 through 5]. Must be called at least 85 days before election. Strike “special election” terminology that is no longer appropriate. | X |
| 233. | 85-7-1837. Limitation on irrigable acreage -- special election or petition. | Irrigation districts – special election call. Strike “special election” terminology that is no longer appropriate due to revised definition. | No substantive change. |
| 234. | 85-7-1974. Majority vote or petition necessary to contract with the state. | Irrigation districts – contract election. Conform section with [sections 1 through 5]. Substantive change is that the election must be held on regular school election day or as a special election, but may not be on a primary or general election day. | X |

| Section No. | MCA Section - Catchline | Summary of Revisions | Substantive change in current law |
|-------------|---|---|-----------------------------------|
| 235. | 85-7-2013. Majority vote and petition requirements. | Irrigation districts – bonds and contracts. Conform section with [sections 1 through 5]. Substantive change is that the election must be held on regular school election day or as a special election, but may not be on a primary or general election day. | X |
| 236. | 85-8-302. Election of commissioners -- regular term of office. | Drainage districts – commissioner election. Fix internal references; clean up and conform section with [sections 1 through 5]. Strikes language that is redundant to [sections 1 through 5]. Election must be held on regular school election day, not on a primary or general election day. | X |
| 237. | 85-8-306. Nominations. | Drainage districts – candidates for commissioner. Revises the section to be candidate filing rather than nomination. Filing must be between 145 days and 85 days. Strikes requirement for signatures from 5 qualified electors to file as a candidate. Eliminates ability to write in the name of a person who has not filed to be a write-in candidate. | X |
| 238. | 85-8-624. Assessments on improvements -- taxpayers' approval, limitations, and election procedures. | Drainage districts – taxes and assessments. Conforms section with [sections 1 through 5]. Election on assessment may be a special election or on school election day, but not on a primary or general election day. Updates internal reference to election notice under 13-1-108 | X |
| 239. | 85-9-103. Definitions. | Conservancy districts - definitions. Strikes notice definition of notice being provided once each week for three consecutive weeks. This conflicts with 13-1-108 of three times within 40 to 10 days before an election. | X |
| 240. | 85-9-203. Hearing by department. | Conservancy districts - hearing. Clean up and update of internal references. | No substantive changes. |
| 241. | 85-9-206. Court hearing on petition - election -- limits on court jurisdiction. | Conservancy districts – organizing. Conforms section to [sections 1 through 5]. Election must be on regular school election day, which is change from primary, general or special election day. | X |
| 242. | 85-9-302. Dissolution election. | Conservancy districts - dissolution. Conforms section to [sections 1 through 5]. Election must be on regular school election day, which is change from primary, general or special election day. | X |

| Section No. | MCA Section - Catchline | Summary of Revisions | Substantive change in current law |
|-------------|---|--|-----------------------------------|
| 243. | 85-9-408. Contracts and agreements by directors. | Conservancy districts - contracts. Conforms section to [sections 1 through 5]. Election on assessment may be a special election or on school election day, but not on a primary or general election day. | X |
| 244. | 85-9-501. Merger of districts. | Conservancy districts – merger hearing. Conforms section to [sections 1 through 5]. Updates internal reference to hearing notice provisions. | No substantive changes. |
| 245. | 85-9-602. Notice of public budget hearing. | Conservancy districts – budget hearing. Updates internal reference concerning hearing notice. | No substantive changes. |
| 246. | 85-9-623. Issuance of bonds -- resolution and election. | Conservancy districts. Conforms section to [sections 1 through 5]. Updates internal reference to hearing notice provisions. Election may be a special election or on school election day, not on primary or general election day. | X |

| | | | |
|------|----------------------------|--|-----|
| 247. | Repealers. | ADMINISTRATIVE SECTIONS Repeals numerous sections that are no longer necessary. | n/a |
| 248. | Codification instructions. | Provides instructions about where new sections are to be codified and about a section that needs to be renumbered. | n/a |
| 249. | Delayed effective date. | Effective date set for day after November 2015 general election to avoid impact on 2015 primary and general elections, but apply the provisions to candidate filing deadlines that begin to occur in December 2015 for the May regular school election in 2016. | n/a |