

## SENATE BILL NO. 128

INTRODUCED BY J. TREBAS, L. SCHUBERT, M. NIKOLAKAKOS, G. NIKOLAKAKOS

A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING COUNTY GOVERNING BODIES FROM REMOVING ELECTION ADMINISTRATION DUTIES FROM THE COUNTY CLERK AND RECORDER DURING THE COUNTY CLERK AND RECORDER'S TERM IN OFFICE; AMENDING SECTION 13-1-301, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

**Section 1.** Section 13-1-301, MCA, is amended to read:

**"13-1-301. Election administrator.** (1) (a) The county clerk and recorder of each county is the election administrator unless the governing body of the county designates another official or appoints an election administrator.

(b) The governing body of the county may not remove the election administration responsibilities from the county clerk and recorder during the county clerk and recorder's current term in office. The governing body may remove the election administration responsibilities of the county clerk and recorder for future terms of office.

(c) The county clerk and recorder may voluntarily give up their election administration responsibilities during their current term in office.

(2) The election administrator is responsible for the administration of all procedures relating to registration of electors and conduct of elections, shall keep all county records relating to elector registration and elections, and is the primary point of contact for the county with respect to the statewide voter registration list and implementation of other provisions of applicable federal law governing elections.

(3) The election administrator may appoint a deputy election administrator for each political subdivision required to hold elections."

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

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