

HOUSE BILL NO. 309

INTRODUCED BY K. LOVE, R. MARSHALL, A. REGIER, P. FIELDER

A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THE TERM OF A PRECINCT COMMITTEE REPRESENTATIVE; PROVIDING A TERM COMMENCES ON THE DATE THE ELECTION IS CERTIFIED AND CONCLUDES ON THE CERTIFICATION OF THE SUBSEQUENT ELECTION; AND AMENDING SECTION 13-38-202, MCA."

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

Section 1. Section 13-38-202, MCA, is amended to read:

"13-38-202. Committee representatives as party representatives -- county and city central committees. (1) Each committee representative shall represent the representative's political party for the precinct in all ward or subdivision committees formed.

(2) The committee representatives in each precinct constitute the county central committee of the respective political parties.

(3) Committee representatives who reside within the limits of a city are ex officio the city central committee of their respective political parties and have the power to make their own rules not inconsistent with those of the county central committee. However, the county central committee has the power to fill vacancies in the city central committee.

(4) Each precinct committee representative serves a term of 2 years from the date of election or appointment pursuant to 13-38-201. Once the term has expired, the position becomes vacant. The 2-year term must commence on the date the election is certified by the county and conclude on the date the subsequent election is certified by the county. In case of appointment, the term must conclude on the certification of the next election pursuant to 13-38-201.

(5) Vacancies in the office of precinct committee representative occur only on the death or written resignation of the incumbent or when the incumbent is no longer a resident or registered voter of the precinct. A precinct committee representative may not otherwise be removed from office. If a vacancy occurs, the

Amendment - 1st Reading-white - Requested by: Kathy Love - (H) State Administration

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Drafter: Rebecca Power,

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1 remaining members of the county central committee may select a precinct resident to fill the vacancy."

2 - END -

AMENDED