

Montana Code Annotated 2019

TITLE 13. ELECTIONS

CHAPTER 38. POLITICAL PARTIES

Part 2. Committee Structure

Election Or Appointment Of Committee Representatives At Primary -- Vacancies -- Tie Votes

13-38-201. Election or appointment of committee representatives at primary -- vacancies - tie votes. (1) Each political party shall appoint or elect at each primary election one person of each sex to serve as committee representatives for each election precinct. The committee representatives must be residents and registered voters of the precinct.

(2) If a political party chooses to appoint precinct committee representatives, the political party shall make the appointments as provided in the party's rules.

(3) If a political party chooses to elect precinct committee representatives, the party may:

(a) administer the election itself as provided in the party's rules; or

(b) elect precinct committee representatives in a primary election, subject to **13-10-209** and subsection (4) of this section.

(4) In a primary election for a precinct committee representative:

(a) if the number of candidates nominated for a party's precinct committee representatives is less than or equal to the number of positions to be elected, the election administrator may give notice that a party's precinct committee election will not be held in that precinct;

(b) if a party precinct committee election is not held pursuant to subsection (4)(a), the election administrator shall declare elected by acclamation the candidate who filed for the position or who filed a declaration of intent to be a write-in candidate. The election administrator shall issue a certificate of election to the designated party.

(c) write-in votes for a precinct committee representative may be counted as specified in **13-15-206(5)** only if the individual whose name is written in has filed a declaration of intent as a write-in candidate by the deadline prescribed in **13-10-211(1)**;

(d) in the case of a tie vote for a precinct committee representative position, the county central committee shall determine a winner.

(5) Pursuant to **13-38-101**, a vacancy in a precinct committee representative position must be filled by the party governing body as provided in its rules.

History: En. Sec. 72, Ch. 368, L. 1969; R.C.M. 1947, 23-3401; amd. Sec. 2, Ch. 367, L. 2003; amd. Sec. 88, Ch. 414, L. 2003; amd. Sec. 136, Ch. 56, L. 2009; amd. Sec. 75, Ch. 242, L. 2011; amd. Sec. 1, Ch. 268, L. 2011; amd. Sec. 61, Ch. 336, L. 2013; amd. Sec. 3, Ch. 420, L. 2015.