1   SENATE BILL NO. 460

2   INTRODUCED BY D. SALOMON, J. SMALL, S. MORIGEAU

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4   A BILL FOR AN ACT ENTITLED: "AN ACT REVISING ELECTION ADMINISTRATOR LAWS; REQUIRING

5   COUNTY GOVERNING BODIES TO HIRE ELECTION ADMINISTRATORS IN COUNTIES WITH

6   POPULATIONS IN EXCESS OF 50,000; PROHIBITING HIRED ELECTION ADMINISTRATORS FROM

7   HOLDING ELECTED OFFICE OR PARTISAN POSITIONS; PROVIDING PROTECTION FOR ELECTION

8   ADMINISTRATORS; AMENDING SECTION 13-1-301, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE

9   DATE."

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

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

14   "**13-1-301.   Election administrator.** (1) (a) The county clerk and recorder of each county is the

15   election administrator unless the governing body of the county designates another official or appoints an

16   election administrator county population is over 50,000.

17   (b)   If the county population exceeds 50,000 residents, the governing body of the county shall hire

18   an election administrator to administer all elections in the county except as provided for in 20-20-401.

19   (i)   The hired election administrator may not hold any elected office during the hired election

20   administrator's tenure as the election administrator.

21   (ii)   The hired election administrator may not hold any positions within a political party or central

22   committee during the hired election administrator's tenure as the election administrator.

23   (iii)   Any election administrators hired on or after July 1, 2023, must have 3 or more years of

24   experience in administering elections.

25   (2)   The election administrator is responsible for the administration of all procedures relating to

26   registration of electors and conduct of elections, shall keep all county records relating to elector registration and

27   elections, and is the primary point of contact for the county with respect to the statewide voter registration list

28   and implementation of other provisions of applicable federal law governing elections.

1   (3)   The election administrator may appoint a deputy election administrator for each political

2   subdivision required to hold elections.

3   (4)   The election administrator is protected under 13-35-203."

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

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