2017 U.S. REPRESENTATIVE SPECIAL ELECTION
CANDIDATE FILING INFORMATION*

Montana Secretary of State

Elections and Government Services

soselections@mt.gov • sosmt.gov

*All dates and requirements are subject to change by the 2017 Legislature

Office	Qualifications	Annual Salary	Filing Fee
United States Representative **2-year term**	**25 years of age, U.S. Citizen for 7 years, inhabitant of the state when elected.**	**$174,000**	**$1740.00**

2017 U.S. Representative Special Election
Information for Nominees of Qualified Political Parties

♦ According to 13-25-205, MCA, "When a special election is ordered to fill a vacancy in the office of United States senator or United States representative, each political party shall choose a candidate according to the rules of the party. Nominations by parties must be made **no later than 75 days** before the date set for the election."

♦ **Filing Deadline for Nominees of Qualified Political Parties** (13-25-205, MCA):

 75 days before election:

> Deadline for each qualified political party to nominate a candidate according to party rules, and for the nominated candidate to file the Declaration and Oath of Candidacy with, and pay the filing fee to, the Secretary of State (13-10-202, MCA) *(for information about qualifying a political party for the ballot, please see below).*

♦ **Links** *(the first link is a fillable PDF filing form for nominees to complete, print, sign in front of a notary, and submit to the Secretary of State in person, or via mail, fax, or email)***:**

> Declaration and Oath of Candidacy for nominees of qualified political parties
> Title 13 Election Laws

2017 U.S. Representative Special Election
Information for Independent, Minor Party, and Indigent Candidates*
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♦ **Filing Deadlines for Independent, Minor Party, and Indigent Candidates** (13-10-503 and 13-25-205, MCA):

82 days before election:
> Deadline to submit signed petitions and affidavits of signature gatherers to county election administrators

75 days before election:
> Deadline to file Declaration and Oath of Candidacy, and pay filing fee (13-10-202, MCA) (unless indigent) with Secretary of State

♦ **Links** *(the first page of the first link is a fillable PDF filing form that candidates can complete, print, sign in front of a notary, and submit to the Secretary of State in person, or via mail, fax or email)*:

> Independent, Minor Party, or Indigent Candidate Declaration, Oath and Petition
> Affidavit of Signature Gatherer
> Title 13 Election Laws

♦ **Where to file:**

Candidates submit petitions with signatures and the affidavits of signature gatherers to county election administrators, who file them with the Secretary of State. Candidates file their Declaration and Oath of Candidacy with, and pay the filing fee to, the Secretary of State (13-10-202, MCA).

♦ **Signature Requirements** (13-10-502, MCA)

Candidates must submit certified signatures totaling 5% or more of the total votes cast for the successful candidate for the same office at the last general election. For the 2017 U.S. Representative Special Election, a total of **14,268** certified signatures are required for an independent, minor party, or indigent candidate.

There is no earliest date to gather petition signatures or to submit signed candidate petitions to county election administrators.

♦ **Independent Candidates:**

Under 13-10-507, MCA, a person seeking office as an independent candidate may **not** be associated with a political party for 1 year prior to the submission of the candidate's nomination petition. For the purposes of the law, "associated with a political party" means having run for office in Montana as a partisan candidate or having held a public office in Montana or a precinct committee representative office in Montana with a political party designation.

Under 13-10-602, MCA, a political party and its regularly nominated candidates, members, and officers have the sole and exclusive right to the use of the party name. A candidate for office may not use any word of the name of any other political party or organization other than that by which the candidate is nominated. An independent candidate may not use any word of the name of any existing political party or organization in his or her candidacy.

♦ **Indigent Candidates:**

An individual who files as an indigent candidate is not required to pay a filing fee and must submit the same total number of signatures as an independent or minor party candidate, and an independent-indigent or independent-minor party candidate is only required to submit one set of petition signatures (13-10-203, MCA).

2017 U.S. Representative Special Election
Information for Write-In Candidates*
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♦ **Filing Deadline for Write-In Candidates** (13-10-211, 13-13-205, and 13-25-205, MCA)**:**

   35 days before election:
   > Deadline to file Write-In Declaration and Oath of Candidacy, and pay filing fee (unless indigent) with Secretary of State

♦ **Links** *(the first link is a fillable PDF filing form that candidate can complete, print, sign in front of a notary and submit to the Secretary of State in person or via mail, fax, or email)***:**

   Write-In Declaration of Intent and Oath of Candidacy
   Information on use of pre-printed labels
   Title 13 Election Laws

♦ An individual who files as an **indigent** write-in candidate must submit petition signatures and affidavits of signature gatherers to county election officials at least 42 days before election day. *See above for specific signature requirements for indigent candidates.*

2017 U.S. Representative Special Election
Information for Political Party Qualification*
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♦ **Filing Deadlines** (13-10-601 and 13-25-205, MCA):

82 days before special election:
> Deadline to submit signed political party qualification petitions and affidavits of signatures gatherers to county election administrators

75 days before special election:
> Deadline for political party to nominate a candidate according to party rules; deadline for nominee to file Declaration and Oath of Candidacy with, and pay filing fee to, the Secretary of State (13-10-202, MCA)

♦ **Links:**
> Political Party Qualification Petition
> Affidavit of Signature Gatherer
> Title 13 Election Laws

♦ **Signature Requirements** (13-10-601, MCA):

According to 13-10-601, MCA, the number of signatures required for ballot access is **5,000**, which must include the signatures of registered voters in at least 34 House districts equal to 5% or more of the total votes cast for the successful candidate for governor at the last general election in those districts *(or 150 electors in those districts, whichever is less; see table below)*.

There is no earliest date to gather political party qualification petition signatures or to submit signed political party qualification petitions to county election administrators.

♦ **Other Information** (13-10-601, MCA):

Under 13-10-602, MCA, a political party and its regularly nominated candidates, members, and officers have the sole and exclusive right to the use of the party name. A candidate for office may not use any word of the name of any other political party or organization other than that by which the candidate is nominated.

Updated February 14, 2017

Signatures Required for Political Party Qualification*†*

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House District	Votes for Last Successful Candidate for Governor	Petition Signatures Required (5% of Votes Cast for Last Successful Candidate for Governor)	House District	Votes for Last Successful Candidate for Governor	Petition Signatures Required (5% of Votes Cast for Last Successful Candidate for Governor)
1	1720	86	51	2160	108
2	1588	80	52	2184	110
3	2271	114	53	2577	129
4	1793	90	54	2600	130
5	3411	150	55	2092	105
6	2340	117	56	2004	101
7	1991	100	57	1813	91
8	1927	97	58	2775	139
9	1526	77	59	2650	133
10	2299	115	60	3260	150
11	1699	85	61	4556	150
12	2528	127	62	4824	150
13	1826	92	63	3078	150
14	2039	102	64	3278	150
15	2138	107	65	4105	150
16	2721	137	66	4110	150
17	2143	108	67	2323	117
18	1780	89	68	2102	106
19	2035	102	69	2179	109
20	2795	140	70	2683	135
21	2690	135	71	2606	131
22	2398	120	72	2272	114
23	2239	112	73	3441	150
24	2383	120	74	3066	150
25	2287	115	75	2786	140
26	1641	83	76	4156	150
27	2269	114	77	3269	150
28	2418	121	78	2092	105
29	1865	94	79	3930	150
30	2031	102	80	2625	132
31	2073	104	81	3481	150
32	2170	109	82	3598	150
33	1615	81	83	3227	150
34	1911	96	84	3146	150
35	1085	55	85	2204	111
36	1220	61	86	2742	138
37	1349	68	87	2040	102
38	1786	90	88	2469	124
39	1613	81	89	3297	150
40	1971	99	90	3766	150
41	1584	80	91	5306	150
42	2149	108	92	2765	139
43	2089	105	93	2287	115
44	2284	115	94	3148	150
45	1777	89	95	3610	150
46	2744	138	96	2996	150
47	2367	119	97	2742	138
48	2725	137	98	3437	150
49	2106	106	99	3530	150
50	2221	112	100	4916	150

† The total number of certified signatures required for political party qualification is 5,000. The number of signatures must include the verified signatures of registered voters in at least 34 legislative districts equal to 5% or more of the total votes cast for the successful candidate for governor at the last general election in those districts or 150 electors in those districts, whichever is less. 13-10-601, MCA.