**Notice to Political Party of Cancellation of Party Precinct Committee Representative Election(s)**

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.

NOTICE TO BE SENT TO THE POLITICAL PARTY

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, County

NOTICE IS HEREBY GIVEN that pursuant to Section 13-38-201(4) MCA, a party's precinct committee representative election will not be held as 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.

IT IS HEREBY DECLARED THAT a party's precinct committee election will not be held and the candidates who filed for the position will be elected by acclamation. (See attached list of filed candidates in precincts that will not appear on the ballot.)

If no one filed in a party's precinct, a vacancy is created, and the vacancy must be filled by the party governing body as provided in its rules.

Party:

Precinct(s)

Reason \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Party:

**\_\_\_\_\_\_\_\_\_\_**

Precinct(s)

Reason \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

DATED this

day of

**20 ,** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Montana

County Clerk & Recorder/Election Administrator

County

*Updated March 2020*

## 13-38-201. Election or appointment of committee representatives at primary -- vacancies ... Page 1 of 2

MCA Contents / TITLE 13 / CHAPTER 38 / Part 2 / 13-38-201 Election or a...

# 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**](https://leg.mt.gov/bills/mca/title_0130/chapter_0100/part_0020/section_0090/0130-0100-0020-0090.html) 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**](https://leg.mt.gov/bills/mca/title_0130/chapter_0150/part_0020/section_0060/0130-0150-0020-0060.html)(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**](https://leg.mt.gov/bills/mca/title_0130/chapter_0100/part_0020/section_0110/0130-0100-0020-0110.html)(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**](https://leg.mt.gov/bills/mca/title_0130/chapter_0380/part_0010/section_0010/0130-0380-0010-0010.html), a vacancy in a precinct committee representative position must be filled by the party governing body as provided in its rules.