

**HB 841 and Fiscal Note
2007 Session**

HOUSE BILL NO. 841

INTRODUCED BY D. ANKNEY

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING ELECTION LAWS; CHANGING THE DATE OF THE REGULAR SCHOOL ELECTION AND THE STATEWIDE PRIMARY ELECTION; PROVIDING AN APPROPRIATION; AMENDING SECTIONS SECTION 13-1-107 AND ~~20-20-405~~, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

Section 1. Section 13-1-107, MCA, is amended to read:

"13-1-107. Times for holding primary elections. (1) On the first Tuesday after the first Monday in ~~June~~ ~~April~~ MAY preceding the general election provided for in 13-1-104(1), a primary election ~~shall~~ must be held throughout the state.

(2) On the Tuesday following the second Monday in September preceding the general election provided for in 13-1-104(2), a primary election, if required, ~~shall~~ must be held throughout the state.

(3) If the general election for a municipality required to hold annual elections is held in November, as provided in 13-1-104(4), a primary election, if required, ~~shall~~ must be held on the Tuesday following the second Monday in September. In an even-numbered year, the cost of this election must be paid by the municipality."

~~Section 2.~~ Section ~~20-20-405~~, MCA, is amended to read:

~~"20-20-405. Regular school election day and special school elections -- limitation -- exception:~~

~~(1) The first Tuesday after the first Monday of May ~~April~~ MAY of each year is the regular school election day. Except as provided in subsection (3), a proposition requesting additional funding under 20-9-353 may be submitted to the electors only once each calendar year on the regular school election day.~~

~~(2) Subject to the provisions of subsection (1), special school elections may be conducted at times determined by the trustees.~~

~~(3) In the event of an unforeseen emergency occurring on the date scheduled for the funding election pursuant to subsection (1), the district will be allowed to reschedule the election for a different day of the calendar year. As used in this section, "unforeseen emergency" has the meaning provided in 20-3-322(5)."~~

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NEWSECTION. Section 2. Appropriation. There is appropriated in each of fiscal years 2008 and 2009 \$1,500 from the general fund to the secretary of state to produce copies of a booklet containing Title 13 of the Montana Code Annotated and related administrative rules and forms.

NEWSECTION. Section 3. Effective date. [This act] is effective July 1, 2007.

- END -



GOVERNOR'S OFFICE OF
BUDGET AND PROGRAM PLANNING

Fiscal Note 2009 Biennium

Bill #	HB0841
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Title:	Change and consolidate school and primary election dates
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Primary Sponsor:	Ankney, Duane
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Status:	Second Reading
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|---|--|--|
| <input type="checkbox"/> Significant Local Gov Impact | <input type="checkbox"/> Needs to be included in HB 2 | <input type="checkbox"/> Technical Concerns |
| <input type="checkbox"/> Included in the Executive Budget | <input type="checkbox"/> Significant Long-Term Impacts | <input type="checkbox"/> Dedicated Revenue Form Attached |

FISCAL SUMMARY

	<u>FY 2008 Difference</u>	<u>FY 2009 Difference</u>	<u>FY 2010 Difference</u>	<u>FY 2011 Difference</u>
Expenditures:				
General Fund	\$1,500	\$1,500	\$0	\$0
Revenue:				
General Fund	\$0	\$0	\$0	\$0
Net Impact-General Fund Balance	<u>(\$1,500)</u>	<u>(\$1,500)</u>	<u>\$0</u>	<u>\$0</u>

Description of Fiscal Impact:

The bill appropriates \$1,500 in both FY 2008 and FY 2009 of general fund to the Office of the Secretary of State.

FISCAL ANALYSIS

Assumptions:

1. HB 841 moves the primary election from June to May.
2. The primary election and school elections will be held on the same day.
3. School districts and county election administrators may coordinate their respective elections but are not required to do so.
4. The Secretary of State's Office will produce booklets containing election laws and related administrative rules and forms.
5. The bill appropriates \$1,500 of general fund each year in fiscal years 2008 and 2009 to the Office of the Secretary of State.

	<u>FY 2008 Difference</u>	<u>FY 2009 Difference</u>	<u>FY 2010 Difference</u>	<u>FY 2011 Difference</u>
<u>Fiscal Impact:</u>				
Office of the Secretary of State				
<u>Expenditures:</u>				
Operating Expenses	\$1,500	\$1,500	\$0	\$0
<u>Funding of Expenditures:</u>				
General Fund (01)	\$1,500	\$1,500	\$0	\$0
<u>Revenues:</u>				
General Fund (01)	\$0	\$0	\$0	\$0
<u>Net Impact to Fund Balance (Revenue minus Funding of Expenditures):</u>				
General Fund (01)	(\$1,500)	(\$1,500)	\$0	\$0

Sponsor's Initials

Date

Budget Director's Initials

Date