



# Montana 2010 Candidate Calendar

## Published by Secretary of State Linda McCulloch

Deadline	Item	Statute
January 14	First day for candidates to file for office	<a href="#">13-10-201</a>
March 8	Deadline for independent, minor party and new political party petitions to be submitted to election administrators	<a href="#">13-10-503</a> <a href="#">13-10-601</a>
March 15	5:00 p.m. Deadline for candidates to file for office	<a href="#">13-10-201</a>
	5:00 p.m. Deadline for candidates to withdraw primary election candidacy	<a href="#">13-10-325</a>
	Deadline for county election administrators to file verified independent, minor party and new political party petitions with the Secretary of State	<a href="#">13-10-201(6)</a> <a href="#">13-10-503</a> <a href="#">13-10-601</a>
Within 5 days of filing for office	Candidates must file appropriate paperwork with Commissioner of Political Practices in order for name to appear on ballot	<a href="#">13-37-201</a>
After March 15	Election administrators determine whether nonpartisan primary election and parties' primary elections need to be held	<a href="#">13-10-209</a> <a href="#">13-14-115</a>
April 30	5:00 p.m. Deadline for write-in candidates to file a Declaration of Intent for the primary election	<a href="#">13-10-211</a>
May 2	Legislative candidates must live in appropriate legislative district (for 6 months next preceding General Election)	<a href="#">Article V</a> <a href="#">Section 4</a> <a href="#">MT Const.</a>
June 8	<b>Primary Nominating Election</b>	<a href="#">13-1-107(1)</a>
June 11 through June 22	County canvass completed	<a href="#">13-15-401</a>
Within 5 days of official canvass	Deadline for candidates to initiate contest of primary election nomination (after county or state canvass, as applicable)	<a href="#">13-36-102(1)</a>
	Deadline for unsuccessful primary election candidates to apply for a recount (after county or state canvass, as applicable)	<a href="#">13-16-201</a> <a href="#">13-16-301</a>
Within 10 days of official canvass	Deadline for successful primary write-in nominees to file a written Declaration of Acceptance (after county or state canvass, as applicable)	<a href="#">13-10-204</a>
July 6	State canvass must be completed	<a href="#">13-15-502</a>
August 9	5:00 p.m. Deadline for candidates to withdraw general election candidacy	<a href="#">13-10-325</a>
September 24	5:00 p.m. Deadline for write-in candidates to file a Declaration of Intent for the general election	<a href="#">13-10-211</a>
November 2	<b>Federal General Election</b>	<a href="#">13-1-104(1)</a>
November 5 through November 16	County canvass completed	<a href="#">13-15-401</a>
Within 5 days of official canvass	Deadline for unsuccessful general election candidates to apply for a recount (after county or state canvass, as applicable)	<a href="#">13-16-201</a> <a href="#">13-16-301</a>
Within 10 days of official canvass	Deadline for successful general write-in candidates to file a written Declaration of Acceptance (after county or state canvass, as applicable)	<a href="#">13-10-204</a>
November 29	State canvass must be completed	<a href="#">13-15-502</a>

## General Information for Candidates

### Filing for Office:

Pursuant to [13-10-201](#), MCA, in a partisan election, an individual may not file a Declaration for Nomination or a Declaration of Intent for more than one political party. A candidate may not file for more than one public office. (This does not include precinct committeemen and committeewomen candidates.) Individuals cannot file for nonpartisan offices as independent candidates or as political party candidates.

Candidates who file with the Secretary of State (other than independent, non-qualified political party and write-in candidates) can file online at [sos.mt.gov/Elections/Filing](https://sos.mt.gov/Elections/Filing).

### Filing Fees:

Under [13-10-202](#), MCA:

- (1) for offices having an annual salary of \$2,500 or less and candidates for the legislature, \$15;
- (2) for county offices having an annual salary of more than \$2,500, 0.5% of the total annual salary;
- (3) for other offices having an annual salary of more than \$2,500, 1% of the total annual salary;
- (4) for offices in which compensation is paid in fees, \$10;
- (5) for officers of political parties, presidential electors and officers who receive no salary or fees, no filing fee is required.

### Write-in Candidates:

Pursuant to [13-15-206](#), MCA, a write-in vote may only be counted if the oval, box, or other designated voting area on the ballot is marked.

For a primary election, declared write-in candidates for partisan offices file as party candidates or as independents; for a general election write-in candidates do not file with a party or independent designation.

Under [13-10-211](#), MCA, if there are declared candidates for a position, a write-in candidate running for an office must file a Declaration of Intent and pay the filing fee at the time of filing, in order for the candidate's write-in votes to be counted. However, if an election is held and a write-in candidate is qualified for and seeks the office for which the candidate is written in, and no candidate has filed for the office (including any declared write-in candidate), a Declaration of Intent does not have to be filed for the write-in votes to be counted.

Under [13-10-204](#), MCA, in order to accept a primary nomination, a write-in nominee must file a written Declaration of Acceptance; have received at least 5% of the total votes cast for the successful candidate for the same office at the last general election; comply with [13-37-126](#), MCA; and have paid the filing fee at the time of filing, unless indigent under [13-10-203](#), MCA, or if exempt from filing under [13-10-211\(7\)](#), MCA (in which case the candidate shall pay the filing fee at the time of nomination).

Under [13-15-111](#), MCA, a write-in candidate who receives the most votes in a general election must file a written Declaration of Acceptance; comply with the provisions of [13-37-126](#), MCA; and pay the filing fee if not already required to have paid it at the time of filing, or if indigent comply with [13-10-203](#), MCA.

### Term Limits:

For information on term limits, visit [sos.mt.gov/Elections/Term Limits](https://sos.mt.gov/Elections/Term_Limits).

### Commissioner of Political Practices:

Statement of Candidate Form must be filed with the Commissioner of Political Practices within 5 days of filing for office. This form may be found at [politicalpractices.mt.gov](https://politicalpractices.mt.gov).

Information for filing reports of campaign contributions and expenditures is provided by the Commissioner of Political Practices. You may contact the Commissioner's office at 406-444-2942.

For more information on candidate filing, contact the Secretary of State at [soselections@mt.gov](mailto:soselections@mt.gov) or at 406-444-4732.