



ADMINISTRATIVE RULES OF MONTANA

44.3.1003 FORM AND SUBMISSION OF PETITIONS TO NOMINATE A POLITICAL PARTY'S CANDIDATES BY PRIMARY ELECTION

- (1) Any elector, regardless of party affiliation, may present a petition to qualify a political party that does not already qualify to hold a primary election under 13-10-601(1), MCA, to nominate its candidates by primary election. Presented petitions must:
 - (a) be completed in the form prescribed by the Secretary of State;
 - (b) be signed by a number of electors equal to the lesser of five percent or more of the total votes cast statewide for the successful candidate for governor at the last general election or 5,000 electors;
 - (c) be signed by at least 150 electors in at least one-third of legislative house districts; and
 - (d) have attached to each sheet of the petition a completed verification affidavit for the petition's signatures in the form prescribed by the Secretary of State; and be submitted with original signatures and their verification, as provided in (3), to the official responsible for registration of electors in the county in which the signatures were obtained no sooner than one year and no later than 123 days before the date for the next primary election.
- (2) Petitions may be submitted to the county official responsible for registration in whole or in individual sheets or portions of petitions. The petitioning elector shall notify the county election administrator from the signer's jurisdiction when the final sheet or portion of the petition has been submitted. After this notification, no elector may withdraw their signature from the petition.
- (3) The form prescribed by the Secretary of State for petitions under this subchapter shall include at the top of each page a title that identifies the petition as follows: "Petition to Qualify the [Insert Name] Party as a Political Party Eligible to Nominate its Candidates by Primary Election in Montana." The petition shall include a separate, numbered line extending across the entire page for each elector's signature and identifying information all of which must be entered in ink. The first underlined space on each numbered line shall be labeled as and used for the signature of the elector. The second underlined space on each line shall be labeled as and used for the date of the elector's signature. The third underlined space on each line shall be labeled as and used for the elector's present legal address or phone number. The fourth space on each line shall be labeled as and used to identify the elector's county of residence. The fifth space on each line shall be labeled as and used for the printed last name and first and middle initials of the signer. The end of each page of the petition form shall have the affidavit of circulation required under 13-10-607, MCA, to be completed by the signature gatherer(s).

Implementing statute(s): 13-10-601, 13-10-606, 13-10-607, 13-10-609, MCA

History: NEW, 2022 MAR p. 1092, Eff. 6/25/22; AMD, 2025 MAR, Notice No. 2025-50, Eff. 10/25/25.