

1 HOUSE BILL NO. 380

2 INTRODUCED BY M. THIEL

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4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE DATE FOR THE MEETING OF PRESIDENTIAL
5 ELECTORS TO ALIGN WITH THE FEDERAL ELECTORAL COUNT ACT; AMENDING SECTION 13-25-307,
6 MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

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10 **Section 1.** Section 13-25-307, MCA, is amended to read:

11 **"13-25-307. Elector voting.** (1) The electors shall meet in Helena at 2 p.m. on the first ~~Monday~~
12 Tuesday after the second Wednesday in December following their election.

13 (2) After all vacant positions have been filled pursuant to 13-25-306, the secretary of state shall
14 provide each elector with a presidential and a vice presidential ballot. The elector shall mark the elector's
15 presidential and vice presidential ballots with the elector's vote for the office of president and vice president,
16 respectively, along with the elector's signature and the elector's legibly printed name.

17 (3) Unless otherwise provided by law, each elector shall present both completed ballots to the
18 secretary of state, who shall examine the ballots and accept as cast all ballots of electors whose votes are
19 consistent with their pledges executed under 13-25-304 or 13-25-306(3). Except as otherwise provided by law,
20 the secretary of state may not accept and may not count either an elector's presidential or vice presidential
21 ballot if the elector has not marked both ballots or has marked a ballot in violation of the elector's pledge.

22 (4) An elector who refuses to present a ballot, presents an unmarked ballot, or presents a ballot in
23 violation of the elector's pledge executed under 13-25-304 or 13-25-306(3) vacates the office of elector,
24 creating a vacant position to be filled under 13-25-306.

25 (5) The secretary of state shall distribute ballots to and collect ballots from a substitute elector and
26 repeat the process specified in this section until all of the electoral votes have been cast and recorded."

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28 NEW SECTION. **Section 2. Effective date.** [This act] is effective on passage and approval.
