

Amendment - 1st Reading/2nd House-blue - Requested by: Julie Darling - (H) State
Administration

- 2025

69th Legislature 2025

Drafter: Rebecca Power,

SB0105.001.003

SENATE BILL NO. 105

INTRODUCED BY J. WINDY BOY, S. WEBBER, M. YAKAWICH

A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING ELECTIONEERING AT ALL POLLING LOCATIONS
FOR ALL ELECTIONS FROM THE TIME ABSENTEE BALLOTS ARE AVAILABLE UNTIL ALL VOTING IS
COMPLETED; AMENDING SECTION 13-35-211, MCA; AND PROVIDING AN ~~IMMEDIATE~~ EFFECTIVE
DATE."

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

Section 1. Section 13-35-211, MCA, is amended to read:

"13-35-211. Electioneering -- soliciting information from electors. (1) ~~A From the start of in-~~
~~person absentee voting as provided in 13-1-404, 13-1-503, 13-13-205, and 20-20-401, and until the last person~~
~~in line at a polling location on election day has voted or the polls close, whichever is later, a~~ A person may not
do any electioneering ~~on election day within any polling place or any building in which an election is being held~~
~~at any location where an elector may obtain or vote a ballot,~~ or within 100 feet of any entrance to ~~the~~ a building
in which ~~the polling place is located~~ an elector may obtain or vote a ballot, during the hours the location is open
to obtain or vote a ballot, that aids or promotes the success or defeat of any candidate or ballot issue to be
voted ~~upon~~ on at the election.

(2) ~~On election day, During the timeframe prescribed in subsection (1), a~~ A candidate, a family
member of a candidate, or a worker or volunteer for the candidate's campaign may not distribute alcohol,
tobacco, food, drink, or anything of value to a voter ~~within a polling place or a building in which an election is~~
~~being held in any location where an elector may obtain or vote a ballot,~~ or within 100 feet of an entrance to ~~the~~
a building in which ~~the polling place is located~~ an elector may obtain or vote a ballot, during the hours the
location is open to electors to obtain or vote a ballot.

(3) A person may not buy, sell, give, wear, or display at ~~or about the polls on an election day~~
~~during the timeframe prescribed in subsection (1) any location where an elector may obtain or vote a ballot,~~

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1 during the hours the location is open to electors to obtain or vote a ballot, any badge, button, or other insignia
2 that is designed or tends to aid or promote the success or defeat of any candidate or ballot issue to be voted
3 ~~upon-on~~ at the election.

4 (4) A person within ~~a polling place or any building in which an election is being held~~ a location
5 where an elector may obtain or vote a ballot, during the hours the location is open to electors to obtain or vote a
6 ballot, may not solicit from an elector, before or after the elector has marked a ballot and returned it to an
7 election judge, information as to whether the elector intends to vote or has voted for or against a candidate or
8 ballot issue."

9
10 NEW SECTION. Section 2. Notification to tribal governments. The secretary of state shall send a
11 copy of [this act] to each federally recognized tribal government in Montana.

12
13 NEW SECTION. Section 3. Effective date. [This act] is effective ~~on passage and approval~~ July 1,
14 2025.

15 - END -