

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 a n election day  
during the timeframe prescribed in subsection (1) ANY LOCATION WHERE AN ELECTOR MAY OBTAIN OR VOTE A  
BALLOT, DURING THE HOURS THE LOCATION IS OPEN TO ELECTORS TO OBTAIN OR VOTE A BALLOT, any badge, button,

1 or other insignia that is designed or tends to aid or promote the success or defeat of any candidate or ballot  
2 issue to be voted ~~upon~~on at the election.  
3 (4) A person within ~~a polling place or any building in which an election is being held~~ A LOCATION  
4 WHERE AN ELECTOR MAY OBTAIN OR VOTE A BALLOT, DURING THE HOURS THE LOCATION IS OPEN TO ELECTORS TO  
5 OBTAIN OR VOTE A BALLOT, may not solicit from an elector, before or after the elector has marked a ballot and  
6 returned it to an election judge, information as to whether the elector intends to vote or has voted for or against  
7 a candidate or ballot issue."  
8

9 NEW SECTION. Section 2. Notification to tribal governments. The secretary of state shall send a  
10 copy of [this act] to each federally recognized tribal government in Montana.  
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12 NEW SECTION. Section 3. Effective date. [This act] is effective ~~on passage and approval~~ JULY 1,  
13 2025.  
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