

SENATE BILL NO. 242

INTRODUCED BY W. MCKAMEY, M. BERTOGLIO, J. ELLIS, S. VANCE, J. KASSMIER, G. NIKOLAKAKOS

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO BALLOT FORM AND UNIFORMITY; AMENDING SECTIONS 13-12-202 AND 13-13-116, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Section 13-12-202, MCA, is amended to read:

"13-12-202. Ballot form and uniformity. (1) The secretary of state shall adopt statewide uniform rules that prescribe the ballot form for each type of ballot used in this state. The rules must conform to the provisions of this title unless the voting system used clearly requires otherwise. At a minimum, the rules must address:

- (a) the manner in which each type of ballot may be corrected under 13-12-204;
- (b) what provisions must be made on the ballot for write-in candidates;
- (c) the size and content of stubs on paper ballots, except as provided in 13-19-106(1);
- (d) the placement of the printed words "official ballot" in accordance with 13-13-116;
- ~~(d)~~(e) how unvoted ballots must be handled;
- ~~(e)~~(f) how the number of individuals voting and the number of ballots cast must be recorded; and
- ~~(f)~~(g) the order and arrangement of voting system ballots.

(2) The names of all candidates that appear on the face of a ballot must appear in the same font size and style.

(3) Notwithstanding 13-19-106(1) and except as provided in 13-3-208, when the stubs are detached, it must be impossible to distinguish any one of the ballots from another ballot for the same office or issue.

(4) The ballots must contain the name of each candidate whose nomination is certified under law for an office and no other names, except that the names of candidates for president and vice president of the

1 United States must appear on the ballot as provided in 13-25-101(5)."

2

3 **Section 2.** Section 13-13-116, MCA, is amended to read:

4 **"13-13-116. Paper ballots to be marked -- one ballot to elector.** (1) Before delivering a paper ballot
5 to an elector, the election judges shall ensure that ~~the ballot is individually stamped with the words "official~~
6 ballot" are printed on the ballot without part of the mark appearing on the stub, if any.

7 (2) Each elector must receive from the election judges one of each type of ballot for which the
8 elector is eligible."

9

10 NEW SECTION. **Section 3. Effective date.** [This act] is effective on passage and approval.

11 - END -