

HOUSE BILL NO. 716

INTRODUCED BY B. PHALEN, L. DEMING, L. HELLEGAARD

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO DECEPTIVE ELECTION PRACTICES; AMENDING SECTION 13-35-207, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Section 13-35-207, MCA, is amended to read:

"13-35-207. Deceptive election practices. A person is guilty of ~~false swearing, unsworn falsification, or tampering with public records or information, as appropriate, and is punishable as provided in 45-7-202, 45-7-203, or 45-7-208, as applicable,~~ perjury as provided in 45-7-201, false swearing, unsworn falsification, tampering with public records or information, or perjury, as appropriate, and is punishable as provided in 45-7-201, 45-7-202, 45-7-203, or 45-7-208, as applicable, whenever the person:

- (1) falsely represents the person's name or other information required upon the person's voter registration form and causes registration with the form;
- (2) signs a voter registration form knowingly witnessing any false or misleading statement;
- (3) knowingly causes a false statement, certificate, or return of any kind to be signed;
- (4) falsely makes a declaration or certificate of nomination;
- (5) files or receives for filing a declaration or certificate of nomination knowing that all or part of the declaration or certificate is false;
- (6) forges or falsely makes the official endorsement of a ballot;
- (7) forges or counterfeits returns of an election purporting to have been held at a precinct, municipality, or ward where no election was in fact held;
- (8) knowingly substitutes forged or counterfeit returns of election in place of the true returns for a precinct, municipality, or ward where an election was held;
- (9) signs a name other than the person's own to a petition, signs more than once for the same

Amendment - 1st Reading-white - Requested by: Bob Phalen - (H) State Administration

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Drafter: Rebecca Power,

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1 ballot issue, or signs a petition while not being a qualified elector of the state; or

2 (10) makes a false oath or affidavit where an oath or affidavit is required by law."

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

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