

1 HOUSE BILL NO. 784  
2 INTRODUCED BY F. NAVE, K. SEEKINS-CROWE, S. GALLOWAY, B. KEENAN, J. READ, M. YAKAWICH, N.

3 HASTINGS  
4

5 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO SCHOOL ELECTIONS;  
6 CLARIFYING THE DEFINITION OF THE TERM "ELECTION ADMINISTRATOR" FOR THE PURPOSES OF  
7 ELECTION CHALLENGES; REVISING TIMELINES AND OTHER PROVISIONS RELATED TO CANDIDATE  
8 FILING, CANDIDATE WITHDRAWAL, WRITE-IN CANDIDATES, TRUSTEES CALLING ELECTIONS, BALLOT  
9 CERTIFICATION, ELECTION BY ACCLAMATION, AND CERTIFICATES OF ELECTION; REVISING  
10 RESIDENCY REQUIREMENTS FOR SCHOOL ELECTION JUDGES; AMENDING SECTIONS 13-1-101, 13-  
11 10-211, 20-3-305, 20-3-313, 20-20-109, 20-20-201, AND 20-20-401, MCA; AND PROVIDING A DELAYED  
12 EFFECTIVE DATE."

13  
14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
15

16 **Section 1.** Section 13-1-101, MCA, is amended to read:

17 **"13-1-101. Definitions.** As used in this title, unless the context clearly indicates otherwise, the  
18 following definitions apply:

19 (1) "Active elector" means an elector whose name has not been placed on the inactive list due to  
20 failure to respond to confirmation notices pursuant to 13-2-220 or 13-19-313.

21 (2) "Active list" means a list of active electors maintained pursuant to 13-2-220.

22 (3) "Anything of value" means any goods that have a certain utility to the recipient that is real and  
23 that is ordinarily not given away free but is purchased.

24 (4) "Application for voter registration" means a voter registration form prescribed by the secretary  
25 of state that is completed and signed by an elector, is submitted to the election administrator, and contains  
26 voter registration information subject to verification as provided by law.

27 (5) "Ballot" means a paper ballot counted manually or a paper ballot counted by a machine, such  
28 as an optical scan system or other technology that automatically tabulates votes cast by processing the paper

1           **"20-20-109. Election judges -- qualifications -- training.** (1) Election judges must be qualified  
2 registered electors of the school district ~~in which they serve~~ or a county in which the school district is located.

3           (2) An election judge may not be:

4           (a) the candidate;

5           (b) an ascendant, descendant, brother, or sister of a candidate; or

6           (c) the spouse of the candidate or of any of the individuals listed in subsection (2)(b).

7           (3) School election judges must meet the training and certification requirements of 13-4-203."  
8

9           **Section 6.** Section 20-20-201, MCA, is amended to read:

10           **"20-20-201. Calling of school election.** (1) At least ~~70~~ 100 ~~70~~ days before any school election, the  
11 trustees of a district or other entity or official authorized by law to call a school election shall call the school  
12 election by resolution, stating the date and purpose of each election and whether, pursuant to 13-19-202, any  
13 election is requested to be by mail.

14           (2) To enable the county election administrator to manage voter registration and prepare the lists  
15 of registered electors:

16           (a) the resolution calling for a school election must be transmitted to the county election  
17 administrator and the superintendent of public instruction no later than 3 days after the resolution is passed;

18 and

19           (b) if the election is to be conducted by mail, the school clerk must also transmit to the county  
20 election administrator a copy of the written plan required under 13-19-205 as soon as the plan has been  
21 approved by the secretary of state."  
22

23           **Section 7.** Section 20-20-401, MCA, is amended to read:

24           **"20-20-401. Trustees' election duties -- ballot certification.** (1) The trustees are the general  
25 supervisors of school elections unless the trustees request and the county election administrator agrees to  
26 conduct a school election under 20-20-417.

27           (2) Not less than ~~30~~ 45 days before an election, the clerk of the district shall certify the ballot by  
28 preparing a certified list of the names of all candidates entitled to be on the ballot subject to 13-37-126 and