

1 SENATE BILL NO. 129

2 INTRODUCED BY J. TREBAS, L. SCHUBERT, G. NIKOLAKAKOS

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4 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING ELECTORS TO ADD A POLITICAL PARTY  
5 PREFERENCE TO THEIR VOTER REGISTRATION; AMENDING SECTIONS 13-1-210, 13-2-115, AND 13-2-  
6 116, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

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10 **Section 1.** Section 13-1-210, MCA, is amended to read:

11 **"13-1-210. Standard application form for voter registration and absentee ballot requests. (1) (a)**

12 The secretary of state shall establish by rule a standard application form, to be used by each election  
13 administrator, that allows an individual to apply for voter registration and to request to be added to the absentee  
14 ballot list in order to receive ballots for subsequent elections.

15 (b) An individual may choose a political party affiliation when completing the standard application  
16 form. An individual who is already registered to vote may add a party affiliation at any time.

17 (c) The party affiliation list on the form must include the following options:

18 (i) ~~democratic party~~ EACH POLITICAL PARTY QUALIFIED UNDER 13-10-601;

19 (ii) ~~green party;~~

20 (iii) ~~libertarian party;~~

21 (iv) ~~republican party;~~

22 ~~(v)(II)~~ other party affiliation; and

23 ~~(vi)(III)~~ prefer not to answer.

24 (2) Pursuant to 13-13-212(3), the absentee ballot application portion of the standard form must  
25 include substantially the following language and option:

26  Optional: I request an absentee ballot to be mailed to me for as long as I reside at the address  
27 listed for each subsequent election in which I am eligible to vote.

28 I understand that in order to continue to receive an absentee ballot, I must complete, sign, and return a

1 confirmation form that will be mailed to me in January of every even-numbered year."

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3 **Section 2.** Section 13-2-115, MCA, is amended to read:

4 **"13-2-115. Certification of statewide voter registration list -- local lists to be prepared.** (1) No  
5 later than 5 working days after the deadline prescribed in 13-2-301(3), election administrators shall enter all  
6 voter registration applications that were submitted within the deadline for regular registration into the statewide  
7 voter registration system.

8 (2) The secretary of state shall certify the official statewide voter registration list by utilizing the  
9 information in the statewide voter registration system.

10 (3) Each election administrator shall have printed from the certified statewide voter registration  
11 system lists of all registered electors in each precinct in the county. Except as provided in subsections (6) and  
12 (7), names of electors must be listed alphabetically, with their political party affiliation if this information is  
13 included in their voter record, and with their residence address or with a mailing address if located where street  
14 numbers are not used.

15 (4) A copy of the list of registered electors in a precinct must be displayed at the precinct's polling  
16 place. Extra copies of the lists must be retained by the election administrator and furnished to an elector upon  
17 request.

18 (5) Lists of registered electors need not be printed if the election will not be held.

19 (6) If a law enforcement officer or reserve officer, as defined in 7-32-201, requests in writing that,  
20 for security reasons, the officer's and the officer's spouse's residential address, if the same as the officer's, not  
21 be disclosed, the secretary of state or an election administrator may not include the address on any generally  
22 available list of registered electors but may list only the electors' names.

23 (7) (a) Upon the request of an individual, the secretary of state or an election administrator may not  
24 include the individual's residential address on any generally available list of registered electors but may list only  
25 the elector's name if the individual:

26 (i) proves to the election administrator, as provided in subsection (7)(b), that the individual, or a  
27 minor in the custody of the individual, has been the victim of partner or family member assault, stalking,  
28 custodial interference, or other offense involving bodily harm or threat of bodily harm to the individual or minor;

1 or

2 (ii) proves to the election administrator, as provided in subsection (7)(c), that a temporary  
3 restraining order or injunction has been issued by a judge or magistrate to restrain another person's access to  
4 the individual or minor.

5 (b) Proof of the victimization is conclusive upon exhibition to the election administrator of a criminal  
6 judgment, information and judgment, or affidavit of a county attorney clearly indicating the conviction and the  
7 identity of the victim.

8 (c) Proof of the issuance of a temporary restraining order or injunction is conclusive upon  
9 exhibition to the election administrator of the temporary restraining order or injunction."  
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11 **Section 3.** Section 13-2-116, MCA, is amended to read:

12 **"13-2-116. Precinct register.** (1) Except for mail ballot elections conducted under Title 13, chapter  
13 19, the election administrator shall prepare from the certified statewide voter registration list a precinct register  
14 for each precinct in the county for use by the election judges. The register may be prepared no sooner than the  
15 Friday before each election and must contain:

16 (a) an alphabetical list of the names, ~~with addresses,~~ of the legally registered electors and  
17 provisionally registered electors with their political party affiliation if this information is included in their voter  
18 record, and with their address;

19 (b) a space for the signature of the elector; and

20 (c) other information as prescribed by the secretary of state.

21 (2) If some of the electors in a precinct are not eligible to receive all ballots at an election because  
22 of a combination of the elections of more than one political subdivision, the election administrator shall  
23 distinguish the names of those eligible for each ballot by whatever method will be clear and efficient.

24 (3) When several precincts have been combined at one polling place for an election, the election  
25 administrator may combine the electors from all precincts into one register or may provide separate registers for  
26 each precinct.

27 (4) Precinct registers need not be printed if the election will not be held."  
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