

SENATE BILL NO. 226
INTRODUCED BY M. CUFFE

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING CERTIFICATION OF PETITION SIGNATURES TO ADD A FILING TIMELINE; AMENDING SECTION 13-27-302, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Section 13-27-302, MCA, is amended to read:

"13-27-302. Certification of signatures. (1) An affidavit, in substantially the following form, must be attached to each sheet or section submitted to the county official:

I, (name of person who is the signature gatherer), swear that I gathered the signatures on the petition to which this affidavit is attached on the stated dates, that I believe the signatures on the petition are genuine, are the signatures of the persons whose names they purport to be, and are the signatures of Montana electors who are registered at the address or have the telephone number following the person's signature, and that the signers knew the contents of the petition before signing the

petition. _____ (Date on which the first signature was gathered) _____ (Signature of petition signature gatherer) _____ (Address of petition signature gatherer)

Subscribed and sworn to before me this ____ day of _____, 20__
Seal _____ (Person authorized to take oaths) _____ (Title or notarial information)

(2) (a) (i) The FOR AN AFFIDAVIT PROVIDED FOR IN SUBSECTION (1) THAT IS ATTACHED TO A SIGNATURE SHEET WITH A COLLECTED SIGNATURE DATED 287 DAYS OR MORE PRIOR TO THE FINAL DATE PROVIDED IN 13-27-104 FOR FILING THE PETITION, THE SIGNATURE GATHERER OR AN AGENT OF THE GROUP GATHERING SIGNATURES SHALL SUBMIT THE AFFIDAVIT AND THE SIGNATURE SHEET OR THE SECTION TO WHICH THE AFFIDAVIT IS ATTACHED TO THE COUNTY ELECTION ADMINISTRATOR BY 273 DAYS BEFORE THE FINAL DATE PROVIDED IN 13-27-104 FOR FILING THE

PETITION.

(II) FOR AN AFFIDAVIT PROVIDED FOR IN SUBSECTION (1) THAT IS ATTACHED TO A SIGNATURE SHEET WITH A COLLECTED SIGNATURE DATED 196 DAYS OR MORE PRIOR TO THE FINAL DATE PROVIDED IN 13-27-104 FOR FILING THE PETITION, THE SIGNATURE GATHERER OR AN AGENT OF THE GROUP GATHERING SIGNATURES SHALL SUBMIT THE AFFIDAVIT AND THE SIGNATURE SHEET OR THE SECTION TO WHICH THE AFFIDAVIT IS ATTACHED TO THE COUNTY ELECTION ADMINISTRATOR BY 182 DAYS BEFORE THE FINAL DATE PROVIDED IN 13-27-104 FOR FILING THE PETITION.

(III) FOR AN AFFIDAVIT PROVIDED FOR IN SUBSECTION (1) THAT IS ATTACHED TO A SIGNATURE SHEET WITH A COLLECTED SIGNATURE DATED 126 DAYS OR MORE PRIOR TO THE FINAL DATE PROVIDED IN 13-27-104 FOR FILING THE PETITION, THE SIGNATURE GATHERER OR AN AGENT OF THE GROUP GATHERING SIGNATURES SHALL SUBMIT THE AFFIDAVIT AND THE SIGNATURE SHEET OR THE SECTION TO WHICH THE AFFIDAVIT IS ATTACHED TO THE COUNTY ELECTION ADMINISTRATOR BY 112 DAYS BEFORE THE FINAL DATE PROVIDED IN 13-27-104 FOR FILING THE PETITION.

(IV) FOR AN AFFIDAVIT PROVIDED FOR IN SUBSECTION (1) THAT IS ATTACHED TO A SIGNATURE SHEET WITH A COLLECTED SIGNATURE DATED 98 DAYS OR MORE PRIOR TO THE FINAL DATE PROVIDED IN 13-27-104 FOR FILING THE PETITION, THE signature gatherer or an agent of the group gathering signatures shall submit the affidavit provided for in subsection (1) and the signature sheet or the section to which the affidavit is attached to the county election administrator within 4 weeks of the first collected signature covered by the affidavit BY 84 DAYS BEFORE THE FINAL DATE PROVIDED IN 13-27-104 FOR FILING THE PETITION.

(B) ONCE THE AFFIDAVIT PROVIDED FOR IN SUBSECTION (1) IS SUBMITTED, THE ELECTION ADMINISTRATOR SHALL DATE AND TIME STAMP THE AFFIDAVIT, REGISTER IT IN A LOG, AND PROVIDE A RECEIPT OF SUBMISSION TO THE SIGNATURE GATHERER OR AGENT OF THE GROUP GATHERING SIGNATURES.

(b)(c) If the affidavit and the signature sheet or the section to which the affidavit is attached are SUBJECT TO THE A DEADLINE IN SUBSECTION (2)(A) AND ARE not submitted within 4 weeks of the earliest signature covered by the affidavit THE TIMELINE REQUIRED UNDER SUBSECTION (2)(A), the county election administrator shall reject the filing and may not process it further."

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

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