

SENATE BILL NO. 197

INTRODUCED BY M. CUFFE

A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING THE NUMBER OF RACES INCLUDED IN THE POSTELECTION AUDIT; AMENDING SECTION 13-17-503, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Section 13-17-503, MCA, is amended to read:

"13-17-503. Random-sample audit of vote-counting machines required -- rulemaking authority.

(1) After unofficial results are available to the public in a federal election, but before the official canvass by the county board of canvassers, the county audit committee shall conduct a random-sample audit of vote-counting machines.

(2) The random-sample audit may not include a ballot that a vote-counting machine was unable to process and that was not resolved pursuant to 13-15-206 because the ballot:

- (a) appeared to have at least one overvote;
(b) appeared to be blank;
(c) was in a condition that prevented its processing by a vote-counting machine; or
(d) contained a mark, error, or omission that prevented its processing by a vote-counting machine.

(3) Except as provided in subsections (4) and (5), the random-sample audit must include:

(a) at least 5% 10% of the precincts in each county or a minimum of one two precinct precincts in each county, whichever is greater; and

(b) an election elections for:

- (i) one two statewide office race races, if any;
(ii) one two federal office race races;
(iii) one two legislative office race races; and
(iv) one two statewide ballot issue issues if a statewide ballot issue was issues were on the ballot.

