

1 SENATE BILL NO. 189

2 INTRODUCED BY T. MANZELLA

3

4 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING A SUPERMAJORITY VOTE OF THE MEMBERS OF  
5 EACH HOUSE OF THE LEGISLATURE TO CONDUCT CERTAIN ELECTIONS BY ~~MAIL-ABSENTEE~~  
6 ~~BALLOT; ADDING SPECIAL CITY ELECTIONS TO THE LIST OF ELECTIONS THAT MAY NOT BE~~  
7 ~~CONDUCTED BY MAIL BALLOT WITHOUT AUTHORIZATION FROM THE LEGISLATURE;~~ AND AMENDING  
8 SECTION 13-19-104, MCA."

9

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

11

12 Section 1. Section 13-19-104, MCA, is amended to read:

13 "13-19-104. ~~Mail-Absentee~~ **Mail-Absentee** ballot elections not mandatory -- when authorized -- when prohibited

14 -- when county election administrator conducts. (1) Conducting elections by ~~mail-absentee~~ ballot is only  
15 one option available to local officials, and this chapter does not mandate that the procedure be used.

16 (2) Except as provided in subsection (3), any election may be conducted by ~~mail-qualified active~~  
17 ~~absentee~~ ballot.

18 (3) The following elections may not be conducted by ~~mail-only absentee~~ ballot:

19 (a) a regularly scheduled federal, state, or county election;

20 (b) a special federal, ~~or~~ ~~or~~ state, ~~or~~ ~~city~~ election, unless authorized by ~~three-quarters of the~~  
21 ~~members of each house of the legislature;~~ or

22 (c) a regularly scheduled or special election when another election in the political subdivision is  
23 taking place at the polls on the same day.

24 (4) (a) Except as provided in subsection (4)(b), if more than one ~~mail-absentee~~ ballot election is  
25 being conducted in the political subdivision on the same day, the county election administrator shall conduct the  
26 elections.

27 (b) The requirement that a county election administrator shall conduct more than one ~~mail~~  
28 ~~absentee~~ ballot election on the same day does not apply to a mail ballot school bond election conducted by the

**Amendment - 1st Reading-white - Requested by: Theresa Manzella - (S) State Administration**

- 2023

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Drafter: Joe Carroll, 406-444-3804

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- 1 trustees of any two or more school districts that have unified pursuant to 20-6-312 or that have created a joint
- 2 board of trustees pursuant to 20-3-361."

3 - END -

AMEND