

SENATE BILL NO. 330

INTRODUCED BY G. HERTZ

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING A COUNTY CLERK TO ACCEPT ELECTRONIC NOTARIZATIONS; AND AMENDING SECTION 7-4-2611, MCA."

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

Section 1. Section 7-4-2611, MCA, is amended to read:

"7-4-2611. Role and duties of county clerk and election administrator. (1) The county clerk of a county is also clerk of the county commissioners and ex officio recorder. A duty imposed by law upon the officer, whether as county clerk, clerk of the county commissioners, or recorder, must be performed by the county clerk, and any official act performed or certified by the county clerk is as valid and effectual as if performed and certified by the clerk of the county commissioners or the recorder.

(2) The county clerk shall:

- (a) take charge of and safely keep or dispose of according to law all books, papers, maps, and records that may be filed or deposited in the county clerk's office;
- (b) record all the proceedings of the board;
- (c) make full entries of all its resolutions and decisions on all questions concerning the raising of money for and the allowance of accounts against the county;
- (d) record the vote of each member on a question upon which there is a division or at the request of any member present;
- (e) sign all orders made and warrants issued by order of the board for the payment of money and certify the orders and warrants to the county treasurer;
- (f) record the reports of the county treasurer of the receipts and disbursements of the county;
- (g) preserve and file all accounts acted upon by the board;
- (h) preserve and file all petitions and applications for franchises and record the action of the board on the petitions and applications;

1 (i) record all orders levying taxes;

2 (j) designate upon each account allowed by the board the amount allowed and deliver to any
3 person who may demand it a certified copy of any record or any account on file in the county clerk's office;

4 (k) when a new township is organized or the boundaries of a township are altered, immediately
5 make out and transmit to the secretary of state a certified statement of the names and boundaries of the
6 township organized or altered;

7 (l) accept electronic notarizations completed in accordance with Title 1, chapter 5, part 6; and

8 ~~(m)~~ keep other records and books and perform other duties that are prescribed by law or by rule or
9 order of the board.

10 (3) An election administrator shall file, code, and cross-index all reports and statements filed as
11 prescribed by the commissioner of political practices.

12 (4) An election administrator shall make statements and other information filed under the
13 provisions of Title 13, chapters 35, 36, and 37, available for public inspection and copying during the office
14 hours determined by the governing body by resolution after a public hearing and make copying facilities
15 available free of charge or at a charge not to exceed actual cost."

16 - END -