

1 *House* BILL NO. *311*
 2 INTRODUCED BY *Travis*

3
 4 A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION
 5 23-3022, R.C.M. 1947, TO REMOVE THE PROHIBITION OF ARMED
 6 FORCES AND OTHER FEDERAL PERSONNEL FROM BECOMING RESIDENTS
 7 OF MONTANA FOR VOTING PURPOSES."

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

10 Section 1. Section 23-3022, R.C.M. 1947, is amended to
 11 read as follows:

12 "23-3022. Residence, rules for determining. For
 13 registration or voting, the residence of any person shall be
 14 determined by the following rules as far as they are
 15 applicable.

16 (1) The residence of a person is where his habitation
 17 is fixed, and to which, whenever he is absent, he has the
 18 intention of returning.

19 (2) A person may not gain or lose a residence while a
 20 student at any institution of learning, while kept
 21 involuntarily at any public institution not necessarily at
 22 public expense, while confined in any public prison, or
 23 while residing on a military reservation.

24 ~~(3) A person in the armed forces of the United States~~
 25 ~~may not become a resident in consequence of being stationed~~

1 ~~at a military facility in the state. A person may not~~
 2 ~~acquire a residence by reason of being employed or stationed~~
 3 ~~at a training or other transient camp maintained by the~~
 4 ~~United States within the state.~~

5 ~~(4)~~ (3) A person does not lose his residence if he
 6 goes into another state, or other district of this state,
 7 for temporary purposes with the intention of returning
 8 unless he exercises the election franchise in the other
 9 state or district.

10 ~~(5)~~ (4) A person may not gain a residence in a county
 11 if he comes in for temporary purposes without the intention
 12 of making that county his home.

13 ~~(6)~~ (5) If a person moves to another state with the
 14 intention of making it his residence, he loses his residence
 15 in this state.

16 ~~(7)~~ (6) If a person moves to another state with the
 17 intention of residing there for an indefinite time, he loses
 18 his residence in this state even though he intends to return
 19 to this state at some future period.

20 ~~(8)~~ (7) The place where a man's family resides is
 21 presumed his place of residence. However, a man who takes up
 22 or continues his residence at a place other than where his
 23 family resided with the intention of remaining is a resident
 24 of the place where he resides.

25 ~~(9)~~ (8) A change of residence can only be made by the

1 act of removal joined with intent to remain in another
2 place. There can only be one residence.
3 ~~(10)~~ (9) The term of residence must be computed by
4 including the date of election."

-End-

Approved by Committee
on Judiciary

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