

Senate Bill 104

In The Senate

January 12, 1981

Introduced and referred
to Committee on State
Administration.

Fiscal note requested.

January 17, 1981

Fiscal note returned.

January 20, 1981

Committee recommend bill
do not pass.

1 *Sen. Dan Johnson* BILL NO. *104*
 2 INTRODUCED BY *Sen. Dan Johnson*
 3 *Sen. J. O'Han, Hoffmann*

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO REQUIRE COUNTY
 5 OFFICIALS RECEIVING INITIATIVE PETITION SHEETS TO CERTIFY
 6 THAT EVERY SIGNATURE THEREON IS VALID; AMENDING SECTIONS
 7 13-10-405 AND 13-27-303, MCA."

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

10 Section 1. Section 13-27-303, MCA, is amended to read:

11 "13-27-303. Verification and certification of
 12 signatures by county official. The county official receiving
 13 the sheets or sections of a petition shall check the names
 14 of all signers to verify they are registered electors of the
 15 county. In addition, the official shall ~~randomly select~~
 16 review all signatures on each sheet or section and compare
 17 them with the signatures of the electors as they appear in
 18 the registration records of the office. ~~If all the randomly~~
 19 ~~selected signatures appear to be genuine, the number of~~
 20 ~~signatures of registered electors on the sheet or section~~
 21 ~~may be certified to the secretary of state without further~~
 22 ~~comparison of signatures. If any of the randomly selected~~
 23 ~~signatures do not appear to be genuine, all signatures on~~
 24 ~~that sheet or section must be compared with the signatures~~
 25 ~~in the registration records of the office~~ All signatures

1 that appear to be genuine shall be certified to the
 2 secretary of state."

3 Section 2. Section 13-10-405, MCA, is amended to read:

4 "13-10-405. Submission and verification of petition.
 5 Petitions of nomination for the presidential preference
 6 primary election must be presented to the election
 7 administrator of the county in which the signatures are
 8 gathered. The election administrator ~~must verify the~~
 9 ~~signatures in the manner prescribed in 13-27-303 through~~
 10 ~~13-27-308 and shall randomly select signatures on each sheet~~
 11 ~~or section and compare them with the signatures of the~~
 12 ~~electors as they appear in the registration records of the~~
 13 ~~office. If all the randomly selected signatures appear to be~~
 14 ~~genuine, the number of signatures of registered electors on~~
 15 ~~the sheet or section may be certified to the secretary of~~
 16 ~~state and must be forwarded according to the procedure~~
 17 ~~prescribed in 13-27-304 through 13-27-308. If any of the~~
 18 ~~randomly selected signatures do not appear to be genuine,~~
 19 ~~all signatures on that sheet or section must be compared~~
 20 ~~with the signatures in the registration records of the~~
 21 ~~office and must forward the petitions be forwarded~~ to the
 22 secretary of state according to the procedure prescribed in
 23 13-27-304, 13-27-305, 13-27-307, and 13-27-308. The
 24 petitions must be submitted to the election administrator at
 25 least 30 days before the filing deadline established in

LC 0796/01

1 13-10-201(6). No filing fee is required.*

-End-

STATE OF MONTANA

REQUEST NO. 92-81

FISCAL NOTE

Form BD-15

In compliance with a written request received Jan. 14, , 19 81 , there is hereby submitted a Fiscal Note for Senate Bill 104 pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA).

Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

DESCRIPTION OF PROPOSED LEGISLATION:

Proposed legislation requires county election officials receiving initiative petition sheets to certify every signature as valid.

ASSUMPTIONS:

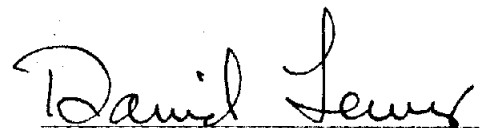
1. Current initiative processing requirements of Secretary of State's office do not change.
2. Number of initiative drives attempted does not deviate from recent historical trends (5-7 per biennium).

FISCAL IMPACT:

No additional costs to agency anticipated.

LOCAL IMPACT:

Proposed legislation would increase cost to county election administrators by requiring three or four times more signatures be certified than currently. Depending on number of initiatives attempted this cost would range from \$12,000 to \$20,000 per biennium.



BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 1-16-81
