

HOUSE BILL NO. 613

2/01 Introduced
2/01 Referred to State Administration
2/14 Hearing
2/15 Committee Report-Bill Pass As Amended
2/18 2nd Reading Do Not Pass
2/19 Special Action
 Reconsider Action
2/20 2nd Reading Pass As Amended
2/21 3rd Reading Pass

Transmitted to Senate

2/22 Referred to Judiciary
3/19 Hearing
3/23 Adverse Committee Report
3/23 Bill Killed

1 HOUSE BILL NO. 613 *House*
 2 INTRODUCED BY *Harold R. Kelly* *Paul Shell* *C. Smith*
 3 *Theresa* BY REQUEST OF THE SECRETARY OF STATE *John* *Watney*
 4 *Hand* *Stacy* *Christensen*

5 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROHIBIT COURTS FROM
 6 ORDERING CHANGES TO THE BALLOT AFTER THE OFFICIAL BALLOT HAS
 7 BEEN CERTIFIED FOR PRINTING; AMENDING SECTIONS 13-10-208 AND
 8 13-12-201, MCA."

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

11 Section 1. Section 13-10-208, MCA, is amended to read:
 12 "13-10-208. Certificate of primary ballot -- printing
 13 ballot. (1) Not more than 50 days and not less than 42 days
 14 before the date of the primary election, the secretary of
 15 state shall certify to the election administrators the names
 16 and designations of candidates, except as provided in
 17 13-37-126, and any ballot issues as shown in the official
 18 records of his office in the manner provided in 13-10-209
 19 and chapter 12, part 2, of this title. Once the ballot has
 20 been certified, no court of this state may order changes in
 21 the ballot.

22 (2) Not more than 40 days and not less than 30 days
 23 before the date of the primary election, the election
 24 administrator shall certify the names and designations of
 25 candidates, except as provided in 13-37-126, and any ballot

1 issues as shown in the official record of his office and
 2 have the official ballots printed in the manner provided in
 3 13-10-209 and chapter 12, part 2, of this title."

4 Section 2. Section 13-12-201, MCA, is amended to read:
 5 "13-12-201. Secretary of state to certify ballot. (1)
 6 Fifty days or more before an election, except as provided in
 7 13-10-208, the secretary of state shall certify to the
 8 election administrators the name and party or other
 9 designation of each candidate entitled to appear on the
 10 ballot and ballot issues as shown in the official records of
 11 his office, which must include the notification specified in
 12 13-37-126. Once the ballot has been certified, no court of
 13 this state may order changes in the ballot.

14 (2) The election administrator shall certify the name
 15 and party or other designation of each candidate entitled to
 16 appear on the ballot and ballot issues as shown in the
 17 official records of his office, which must include the
 18 notification specified in 13-37-126, and shall have the
 19 official ballots printed."

-End-



-2- INTRODUCED BILL
 HB 613

APPROVED BY COMMITTEE
ON STATE ADMINISTRATION

HOUSE BILL NO. 613

INTRODUCED BY J. HAMMOND, REHBERG, CAMPBELL,

C. SMITH, JACK MOORE, SHAW, KEATING, SPAETH,

HOLLIDAY, HAND, THAYER, CHRISTIAENS

BY REQUEST OF THE SECRETARY OF STATE

A BILL FOR AN ACT ENTITLED: "AN ACT TO PROHIBIT COURTS FROM ORDERING CHANGES TO ~~THE A~~ BALLOT AFTER THE-OFFICIAL A BALLOT ISSUE HAS BEEN CERTIFIED FOR PRINTING; AMENDING SECTIONS 13-10-208 AND 13-12-201, MCA."

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

Section 1. Section 13-10-208, MCA, is amended to read:

"13-10-208. Certificate of primary ballot -- printing ballot. (1) Not more than 50 days and not less than 42 days before the date of the primary election, the secretary of state shall certify to the election administrators the names and designations of candidates, except as provided in 13-37-126, and any ballot issues as shown in the official records of his office in the manner provided in 13-10-209 and chapter 12, part 2, of this title. Once the A ballot ISSUE has been certified, no court of this state may order changes in the ballot.

(2) Not more than 40 days and not less than 30 days before the date of the primary election, the election

administrator shall certify the names and designations of candidates, except as provided in 13-37-126, and any ballot issues as shown in the official record of his office and have the official ballots printed in the manner provided in 13-10-209 and chapter 12, part 2, of this title."

Section 2. Section 13-12-201, MCA, is amended to read:

"13-12-201. Secretary of state to certify ballot. (1) Fifty days or more before an election, except as provided in 13-10-208, the secretary of state shall certify to the election administrators the name and party or other designation of each candidate entitled to appear on the ballot and ballot issues as shown in the official records of his office, which must include the notification specified in 13-37-126. Once THE A ballot ISSUE has been certified, no court of this state may order changes in the ballot.

(2) The election administrator shall certify the name and party or other designation of each candidate entitled to appear on the ballot and ballot issues as shown in the official records of his office, which must include the notification specified in 13-37-126, and shall have the official ballots printed."

-End-

SECOND READING

1 HOUSE BILL NO. 613

2 INTRODUCED BY HANNAH, REHBERG, CAMPBELL,

3 C. SMITH, JACK MOORE, SHAW, KEATING, SPAETH,

4 HOLLIDAY, HAND, THAYER, CHRISTIAENS

5 BY REQUEST OF THE SECRETARY OF STATE

6
7 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROHIBIT COURTS FROM
8 ORDERING CHANGES TO THE A BALLOT AFTER THE OFFICIAL A BALLOT
9 ISSUE HAS BEEN CERTIFIED FOR PRINTING; AMENDING SECTIONS
10 13-10-208 AND 13-12-201, MCA."

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

13 Section 1. Section 13-10-208, MCA, is amended to read:

14 "13-10-208. Certificate of primary ballot -- printing
15 ballot. (1) Not more than 50 days and not less than 42 days
16 before the date of the primary election, the secretary of
17 state shall certify to the election administrators the names
18 and designations of candidates, except as provided in
19 13-37-126, and any ballot issues as shown in the official
20 records of his office in the manner provided in 13-10-209
21 and chapter 12, part 2, of this title. Once the A ballot
22 ISSUE has been certified FOR PRINTING AND WITHOUT LIMITING
23 THE OTHER REMEDIES AVAILABLE, no court of this state may
24 order changes in the ballot.

25 (2) Not more than 40 days and not less than 30 days

1 before the date of the primary election, the election
2 administrator shall certify the names and designations of
3 candidates, except as provided in 13-37-126, and any ballot
4 issues as shown in the official record of his office and
5 have the official ballots printed in the manner provided in
6 13-10-209 and chapter 12, part 2, of this title."

7 Section 2. Section 13-12-201, MCA, is amended to read:

8 "13-12-201. Secretary of state to certify ballot. (1)
9 Fifty days or more before an election, except as provided in
10 13-10-208, the secretary of state shall certify to the
11 election administrators the name and party or other
12 designation of each candidate entitled to appear on the
13 ballot and ballot issues as shown in the official records of
14 his office, which must include the notification specified in
15 13-37-126. Once the A ballot ISSUE has been certified FOR
16 PRINTING AND WITHOUT LIMITING THE OTHER REMEDIES AVAILABLE,
17 no court of this state may order changes in the ballot.

18 (2) The election administrator shall certify the name
19 and party or other designation of each candidate entitled to
20 appear on the ballot and ballot issues as shown in the
21 official records of his office, which must include the
22 notification specified in 13-37-126, and shall have the
23 official ballots printed."

-End-