HOUSE BILL NO. 265

INTRODUCED BY PHILLIPS

IN THE HOUSE

INTRODUCED AND REFERRED TO COMMITTEE ON STATE ADMINISTRATION.
COMMITTEE RECOMMEND BILL DO PASS AS AMENDED. REPORT ADOPTED.
PRINTING REPORT.
SECOND READING, DO PASS.
ENGROSSING REPORT.
THIRD READING, PASSED.
TRANSMITTED TO SENATE.
IN THE SENATE
INTRODUCED AND REFERRED TO COMMITTEE ON STATE ADMINISTRATION.
COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
SECOND READING, CONCURRED IN.
THIRD READING, CONCURRED IN. AYES, 50; NOES, 0.
RETURNED TO HOUSE.
TN MUE HOUGE
IN THE HOUSE

SENT TO ENROLLING.

50th Legislature LC 1347/01 LC 1347/01

INTRODUCED BY Phillian 1 3

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A BILL FOR AN ACT ENTITLED: "AN ACT TO ADOPT THE FEDERAL WRITE-IN ABSENTEE BALLOT QUALIFICATIONS AND PROCEDURES FOR STATE ELECTIONS."

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

Section 1. Federal write-in absentee ballot -qualifications -- procedures. (1) An elector qualified by 13-2-211 who fears his regular absentee ballot might not arrive in time to vote and return to the election administrator of the county of his residence and registration may also vote a federal write-in absentee ballot.

- (2) The federal write-in absentee ballot is available to military personnel and civilians overseas through the same source that provides federal post card application forms and is only valid for federal elections.
- (3) The elector shall apply for a regular absentee 21 ballot as provided in 13-2-214 not less than 30 days before the general election.
- (4) An elector voting a federal write-in ballot may 23 designate a candidate by writing in the name of the 24 candidate or by writing in the name of the political party. 25

A vote may not be voided for reasons of misspellings,

abbreviations, or other minor variations of the candidate's

name.

- (5) If an elector receives his regular absentee ballot after he has voted and mailed a federal write-in absentee ballot, he may vote and return the regular absentee ballot.
- 7 (6) A federal write-in absentee ballot must be counted

if:

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- 9 (a) the condition in subsection (2) has been met;
- (b) the regular absentee ballot has not been received 10 by 8 p.m. election day; 11
- (c) the ballot has not been submitted from any 12 13 location within the continental United States, Alaska, Hawaii, or Guam: and 14
- 15 (d) the ballot is received by 8 p.m. election day.
- (7) Federal write-in absentee ballots received before 16 17 the close of the polls election day will not be counted until the polls have closed. 18
- 19 Section 2. Extension of authority. Any existing authority of the secretary of state to make rules on the 20 21 subject of the provisions of this act is extended to the
- 23 Section 3. Codification instruction. Section 1 is intended to be codified as an integral part of Title 13, 24

provisions of this act.

chapter 13, part 2, and the provisions of Title 13, chapter



1 13, part 2, apply to section 1.

-End-

-3-

50th Legislature

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HB 0265/02

HB 0265/02

APPROVED BY COMMITTEE ON STATE ADMINISTRATION

1	HOUSE BILL NO. 265
2	INTRODUCED BY PHILLIPS
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4	A BILL FOR AN ACT ENTITLED: "AN ACT TO ADOPT THE FEDERAL
5	WRITE-IN ABSENTEE BALLOT QUALIFICATIONS AND PROCEDURES FOR
6	STATE ELECTIONS."
7	
8	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
9	Section 1. Federal write-in absentee ballot
10	qualifications procedures. (1) An elector qualified by
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- qualifications -- procedures. (1) An elector qualified by
 11 13-2-211 who fears his regular absentee ballot might not
 12 arrive in time to vote and return to the election
 13 administrator of the county of his residence and
 14 registration may also vote a federal write-in absentee
 15 ballot.
 - (2) The federal write-in absentee ballot is available to military personnel and civilians overseas through the same source that provides federal post card application forms and is only valid for federal elections.
- 20 (3) The elector shall apply for a regular absentee
 21 ballot as provided in ±3-2-2±4 13-13-212(2) not less than 30
 22 days before the general election.
- 23 (4) An elector voting a federal write-in ballot may 24 designate a candidate by writing in the name of the 25 candidate or by writing in the name of the political party.

- 1 A vote may not be voided for reasons of misspellings,
 2 abbreviations, or other minor variations of the candidate's
 3 name.
- 4 (5) If an elector receives his regular absentee ballot 5 after he has voted and mailed a federal write-in absentee 6 ballot, he may vote and return the regular absentee ballot.
- 7 (6) A federal write-in absentee ballot must be counted 8 if:
- 9 (a) the condition in subsection (2) (3) has been met;
- 10 (b) the regular absentee ballot has not been received
 11 by 8 p.m. election day;
- 12 (c) the ballot has not been submitted from any 13 location within the continental United States, Alaska, 14 Hawaii, or Guam; and
- 15 (d) the ballot is received by 8 p.m. election day.
- 16 (7) Federal write-in absentee ballots received before 17 the close of the polls election day will not be counted 18 until the polls have closed.
- Section 2. Extension of authority. Any existing authority of the secretary of state to make rules on the subject of the provisions of this act is extended to the provisions of this act.
- 23 Section 3. Codification instruction. Section 1 is 24 intended to be codified as an integral part of Title 13,
- 25 chapter 13, part 2, and the provisions of Title 13, chapter SECOND READING

HB 0265/02

1 13, part 2, apply to section 1.

~End-

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2	INTRODUCED BY PHILLIPS

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A BILL FOR AN ACT ENTITLED: "AN ACT TO ADOPT THE FEDERAL WRITE-IN ABSENTEE BALLOT QUALIFICATIONS AND PROCEDURES FOR STATE ELECTIONS."

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

Section 1. Federal write-in absentee ballot -qualifications -- procedures. (1) An elector qualified by
13-2-211 who fears his regular absentee ballot might not
arrive in time to vote and return to the election
administrator of the county of his residence and
registration may also vote a federal write-in absentee
ballot.

- (2) The federal write-in absentee ballot is available to military personnel and civilians overseas through the same source that provides federal post card application forms and is only valid for federal elections.
- (3) The elector shall apply for a regular absentee ballot as provided in \(\frac{13-2-2\frac{13-13-212(2)}{2}}{2}\) not less than 30 days before the general election.
- (4) An elector voting a federal write-in ballot may designate a candidate by writing in the name of the candidate or by writing in the name of the political party.

A vote may not be voided for reasons of misspellings,

abbreviations, or other minor variations of the candidate's

name.

- (5) If an elector receives his regular absentee ballot after he has voted and mailed a federal write-in absentee ballot, he may vote and return the regular absentee ballot.
- 7 (6) A federal write-in absentee ballot must be counted 8 if:
- 9 (a) the condition in subsection (2) (3) has been met;
- 10 (b) the regular absentee ballot has not been received
 11 by 8 p.m. election day;
- 12 (c) the ballot has not been submitted from any 13 location within the continental United States, Alaska, 14 Hawaii, or Guam; and
- 15 (d) the ballot is received by 8 p.m. election day.
- 16 (7) Federal write-in absentee ballots received before 17 the close of the polls election day will not be counted 18 until the polls have closed.
- 19 Section 2. Extension of authority. Any existing 20 authority of the secretary of state to make rules on the 21 subject of the provisions of this act is extended to the 22 provisions of this act.
- 23 Section 3. Codification instruction. Section 1 is 24 intended to be codified as an integral part of Title 13, 25 chapter 13, part 2, and the provisions of Title 13, chapter THIRD READING

HB 0265/02

1 13, part 2, apply to section 1.

-End-

-3-

HB 0265/02 50th Legislature HB 0265/02

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4	A BILL FOR AN ACT ENTITLED: "AN ACT TO ADOPT THE FEDERAL
5	WRITE-IN ABSENTEE BALLOT QUALIFICATIONS AND PROCEDURES FOR
6	STATE ELECTIONS."
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8	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
9	Section 1. Federal write-in absentee ballot
10	qualifications procedures. (1) An elector qualified by
11	13-2-211 who fears his regular absentee ballot might not
L 2	arrive in time to vote and return to the election
13	administrator of the county of his residence and
1.4	registration may also vote a federal write-in absentee
15	ballot.
16	- (2) The federal write-in absentee ballot is available
17	to military personnel and civilians overseas through the
18	same source that provides federal post card application
19	forms and is only valid for federal elections.
20	(3) The elector shall apply for a regular absentee
21	ballot as provided in 13-2-214 13-13-212(2) not less than 30
22	days before the general election.
23	(4) An elector voting a federal write-in ballot may
24	designate a candidate by writing in the name of the

candidate or by writing in the name of the political party.

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2	abbreviations, or other minor variations of the candidate's
3	name.
4	(5) If an elector receives his regular absentee ballot
5	after he has voted and mailed a federal write-in absentee
6	ballot, he may vote and return the regular absentee ballot.
7	(6) A federal write-in absentee ballot must be counted
8	if:
ò	(a) the condition in subsection (2) (3) has been met;
10	(b) the regular absentee ballot has not been received
11	by 8 p.m. election day;

Hawaii, or Guam; and

(d) the ballot is received by 8 p.m. election day. 15

(c) the ballot has not been submitted from any

location within the continental United States, Alaska,

A vote may not be voided for reasons of misspellings,

- (7) Federal write-in absentee ballots received before 16 17 the close of the polls election day will not be counted 18 until the polls have closed.
- 19 Section 2. Extension of authority. Any existing authority of the secretary of state to make rules on the 20 subject of the provisions of this act is extended to the 21 provisions of this act.
- Section 3. Codification instruction. Section 1 is 23 intended to be codified as an integral part of Title 13, chapter 13, part 2, and the provisions of Title 13, chapter

-2-

1 13, part 2, apply to section 1.

-End-

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