

HOUSE BILL 486

Introduced by Simon, et al.

2/05	Introduced
2/05	Referred to State Administration
2/05	First Reading
2/10	Hearing
2/11	Tabled in Committee

1 *House* BILL NO. *486*
2 INTRODUCED BY *Sen. [Signature]* *Landy [Signature]*
3
4 A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING
5 UNAUTHORIZED ALTERATION AND DISTRIBUTION OF OFFICIAL SAMPLE
6 BALLOTS; REGULATING DISTRIBUTION OF SIMULATED BALLOTS THAT
7 FAVOR A PARTICULAR CANDIDATE OR ISSUE; AND AMENDING SECTION
8 13-12-214, MCA."

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

11 **Section 1.** Section 13-12-214, MCA, is amended to read:

12 "13-12-214. Sample Official sample ballots -- simulated
13 ballots. (1) The election administrator may have official
14 sample ballots printed in a number sufficient to answer
15 requests from the political parties, schools, and electors.
16 Sample Official sample ballots must be duplicates of the
17 official ballots but must be clearly distinguishable from
18 official ballots and may not have perforated stubs or be
19 numbered. A person may not deface, alter, or tamper with an
20 official sample ballot prepared pursuant to this subsection.
21 A person may not distribute an official sample ballot that
22 has been altered or tampered with to favor a particular
23 candidate or issue in an upcoming election.

24 (2) A person may prepare and distribute a simulated
25 ballot that favors a particular candidate or issue in an

1 upcoming election only in accordance with the following:

2 (a) The simulated ballot must be printed on paper that
3 is a substantially different color from any official sample
4 ballot.

5 (b) The simulated ballot may not have a perforated stub
6 and may not be numbered in the manner of official sample
7 ballots.

8 (c) The simulated ballot must clearly state at the top
9 of each side, in type no smaller than 12 point, in bold
10 print, outlined or underlined, and set apart from any other
11 printing: "THIS IS NOT AN OFFICIAL SAMPLE BALLOT. THIS IS A
12 POLITICAL ADVERTISEMENT CREATED AND DISTRIBUTED BY (INSERT
13 THE NAME OF THE POLITICAL ENTITY) AND DOES NOT REFLECT
14 OFFICIAL BALLOT CONTENTS."

-End-