1   House BILL NO. 283

2   INTRODUCED BY

3

4   A BILL FOR AN ACT ENTITLED: "AN ACT ELIMINATING THE REQUIREMENT TO ROTATE NAMES ON

5   BALLOTS; AND AMENDING SECTION 13-12-205, MCA."

6

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

8

9   **Section 1.** Section 13-12-205, MCA, is amended to read:

10   "**13-12-205. Arrangement of names — rotation on ballot.** (1) The candidates' names shall must be

11   arranged alphabetically on the ballot according to surnames under the title of the respective offices.

12   (2) (a) Except as provided in subsection (3), if two or more individuals are candidates for

13   nomination or election to the same office, the election administrator shall divide the ballot forms into sets

14   equal in number to the greatest number of candidates for any office. The candidates for nomination to an

15   office by each political party shall be considered separately in determining the number of sets necessary

16   for a primary election.

17   (b) The election administrator shall begin with a form arranged alphabetically and rotate so that

18   each candidate's name will be at the top of the list for each office on substantially an equal number of

19   ballots. If it is not numerically possible to place each candidate's name at the top of the list, the names shall

20   be rotated in groups so that each candidate's name is as near the top of the list as possible on substantially

21   an equal number of ballots.

22   (c) If the county contains more than one legislative district, the election administrator may rotate

23   each candidate's name so that it will be at or near the top of the list for each office on substantially an

24   equal number of ballots in each house district.

25   (d) For purposes of rotation, the offices of president and vice-president and of governor and

26   lieutenant governor shall be considered as a group.

27   (e) No more than one of the sets may be used in printing the ballot for use in any one precinct, and

28   all ballots furnished for use in any precinct must be identical.

29   (3) In a precinct where voting devices are used, the election administrator need not rotate

30   candidates' names as provided in subsection (2) on paper ballots required under 13-17-305; however, if

1   ~~more than 5% of the electors voting in the precinct in the last preceding general election voted using paper~~

2   ~~ballots, the election administrator shall rotate candidates' names on the paper ballots. If the candidates'~~

3   ~~names are not rotated, the election administrator shall determine by lot the arrangement of the names on~~

4   ~~the paper ballot.~~"

5   -END-

STATE OF MONTANA - FISCAL NOTE

Fiscal Note for HB0283, as introduced
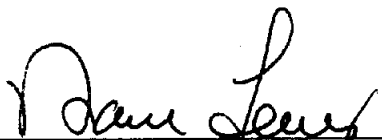
DESCRIPTION OF PROPOSED LEGISLATION:
An act eliminating the requirement to rotate names on ballots.

FISCAL IMPACT:

This bill has no fiscal impact on state government.

EFFECT ON COUNTY OR OTHER LOCAL REVENUES OR EXPENDITURES:

This bill appears to have little effect on county or local government revenues or expenditures. However, some counties may experience a reduction in printer set up costs for the printing of election ballots.

DAVE LEWIS, BUDGET DIRECTOR   DATE
Office of Budget and Program Planning

JOE TROPILA, PRIMARY SPONSOR   DATE

Fiscal Note for HB0283, as introduced

HB 283

1   HOUSE BILL NO. 283

2   INTRODUCED BY TROPILA, ELLIS

3

4   A BILL FOR AN ACT ENTITLED: "AN ACT ELIMINATING THE REQUIREMENT TO ROTATE NAMES ON

5   BALLOTS; PROVIDING THAT NAMES BE ARRANGED RANDOMLY AS DETERMINED BY A PUBLIC LOT;

6   AND AMENDING SECTION 13-12-205, MCA."

7

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

9

10   **Section 1.** Section 13-12-205, MCA, is amended to read:

11   "**13-12-205. Arrangement of names — rotation on ballot.** (1) The candidates' names shall must be

12   arranged alphabetically on the ballot according to surnames under the title of the respective offices AND

13   IN A RANDOM ORDER AS DETERMINED BY THE ELECTION ADMINISTRATOR. THE ELECTION

14   ADMINISTRATOR SHALL DETERMINE THIS ORDER BY A RANDOM LOT SELECTION CONDUCTED BY THE

15   COUNTY'S GOVERNING BODY. THE LOT SELECTION MUST BE OPEN TO THE PUBLIC.

16   (2) (a) Except as provided in subsection (3), if two or more individuals are candidates for

17   nomination or election to the same office, the election administrator shall divide the ballot forms into sets

18   equal in number to the greatest number of candidates for any office. The candidates for nomination to an

19   office by each political party shall be considered separately in determining the number of sets necessary

20   for a primary election.

21   (b) The election administrator shall begin with a form arranged alphabetically and rotate so that

22   each candidate's name will be at the top of the list for each office on substantially an equal number of

23   ballots. If it is not numerically possible to place each candidate's name at the top of the list, the names shall

24   be rotated in groups so that each candidate's name is as near the top of the list as possible on substantially

25   an equal number of ballots.

26   (c) If the county contains more than one legislative district, the election administrator may rotate

27   each candidate's name so that it will be at or near the top of the list for each office on substantially an

28   equal number of ballots in each house district.

29   (d) For purposes of rotation, the offices of president and vice president and of governor and

30   lieutenant governor shall be considered as a group.

Montana Legislative Council

1   (e) No more than one of the sets may be used in printing the ballot for use in any one precinct, and

2   all ballots furnished for use in any precinct must be identical.

3   (3) In a precinct where voting devices are used, the election administrator need not rotate

4   candidates' names as provided in subsection (2) on paper ballots required under 13-17-305; however, if

5   more than 5% of the electors voting in the precinct in the last preceding general election voted using paper

6   ballots, the election administrator shall rotate candidates' names on the paper ballots. If the candidates'

7   names are not rotated, the election administrator shall determine by lot the arrangement of the names on

8   the paper ballot."

9   -END-