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House BILL NO. 319

INTRODUCED BY Rep. Galvin

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT ABSENTEE BALLOTS MAY BE PICKED UP IN PERSON; PROVIDING THAT AN ELECTOR MAY DESIGNATE ANOTHER PERSON TO PICK UP AN ABSENTEE BALLOT ON BEHALF OF THE ELECTOR; AND AMENDING SECTIONS 13-13-213 AND 13-13-214, MCA."

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

Section 1. Section 13-13-213, MCA, is amended to read:

"13-13-213. Transmission of application to election administrator -- delivery of ballot. (1) Except as provided in subsection (2), the elector shall forward the application by mail or deliver it in person to the election administrator. The election administrator shall compare the signature on the application with the applicant's signature on the registration card. If convinced the individual making the application is the same as the one whose name appears on the registration card, ~~he~~ the election administrator shall deliver the ballot to the elector in person or as otherwise provided in 13-13-214.

(2) In lieu of the requirement provided in subsection (1), an elector who requests an absentee ballot pursuant to 13-13-212(3) may return the application to the special absentee election board. Upon receipt of the application, the special absentee election board shall examine the signatures on the application and a copy of the voting registration card to be provided by the election administrator. If the special absentee election board believes that the applicant is the same person as the one whose name appears on the registration card, the special absentee election board shall provide a ballot to the elector."

Section 2. Section 13-13-214, MCA, is amended to read:

"13-13-214. Mailing ballot to elector. (1) (a) As Except as provided in 13-13-213 and in subsection (1)(b) of this section, as soon as the official ballots are printed, the election administrator shall send by mail, postage prepaid, to each elector from whom ~~he~~ the election administrator has received a valid application whatever official ballots are necessary. Ballots ~~shall~~ must be sent immediately to electors submitting valid requests after the official ballots are printed.



1 **(b) The election administrator may deliver a ballot in person to an individual other than the elector**
2 **if:**

3 **(i) the elector has designated the individual, either by a signed letter or by making the designation**
4 **on the application form in a manner prescribed by the secretary of state;**

5 **(ii) the individual taking delivery of the ballot on behalf of the elector verifies, by signature, receipt**
6 **of the ballot; and**

7 **(iii) the election administrator believes that the individual receiving the ballot is the designated**
8 **person.**

9 (2) The election administrator shall enclose with the ballots a self-addressed envelope for the return
10 of the ballots. An affirmation in the form prescribed by the secretary of state ~~shall~~ **must** be printed on the
11 back of the envelope.

12 (3) The election administrator shall stamp the ballots ~~sent~~ **provided** to an absentee elector as
13 provided in 13-13-116.

14 (4) Both the envelope in which the ballot is mailed to an elector in the United States service and
15 the return envelope ~~shall~~ **must** have printed across the face ~~such~~ **the** information and graphics and be of
16 ~~such~~ **a** color as may be prescribed by the secretary of state consistent with the regulations established by
17 the federal election commission, U.S. postal service, or other federal agency.

18 (5) If the ballots sent to the elector are for a primary election, the election administrator shall
19 enclose an extra envelope marked "For Unvoted Party Ballot(s)". This envelope may not be numbered or
20 marked in any way so it can be identified as being used by any one elector.

21 (6) Instructions for voting ~~shall~~ **must** be enclosed with the ballots. Instructions for primary elections
22 must include use of the envelope for unvoted ballots. The instructions must include information concerning
23 the type or types of writing instruments which may be used to mark the absentee ballot.

24 (7) The return envelope ~~shall~~ **must** be self-addressed to the election administrator."

25

-END-

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2 INTRODUCED BY TROPILA, GALVIN

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19 (2) In lieu of the requirement provided in subsection (1), an elector who requests an absentee ballot
20 pursuant to 13-13-212(3) may return the application to the special absentee election board. Upon receipt
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8 (iii) the election administrator believes that the individual receiving the ballot is the designated
9 person; AND

10 (IV) THE DESIGNATED PERSON HAS NOT PREVIOUSLY PICKED UP BALLOTS FOR TWO OTHER
11 ELECTORS.

12 (2) The election administrator shall enclose with the ballots a self-addressed envelope for the return
13 of the ballots. An affirmation in the form prescribed by the secretary of state ~~shall~~ must be printed on the
14 back of the envelope.

15 (3) The election administrator shall stamp the ballots ~~sent~~ provided to an absentee elector as
16 provided in 13-13-116.

17 (4) Both the envelope in which the ballot is mailed to an elector in the United States service and
18 the return envelope ~~shall~~ must have printed across the face ~~such~~ the information and graphics and be of
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-END-

SENATE STANDING COMMITTEE REPORT

Page 1 of 1
March 1, 1995

MR. PRESIDENT:

We, your committee on State Administration having had under consideration HB 319 (third reading copy -- blue), respectfully report that HB 319 be amended as follows and as so amended be concurred in.

Signed: Ethel M. Harding
Senator Ethel M. Harding, Chair

That such amendments read:

1. Title, line 7.
Strike: "TWO"
Insert: "FOUR"
2. Page 2, line 10.
Strike: "TWO"
Insert: "four"

-END-

PV
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Amd. Coord.
Sec. of Senate

Pipinich
Senator Carrying Bill

HB 319

SENATE

481424SC.SPV

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