

1 HOUSE BILL NO. 293

2 INTRODUCED BY C. HARRIS, BRANAE, CLANCY, GUTSCHE, HEDGES, HURDLE, JENT, LASLOVICH,
3 WADDILL, WANZENRIED, WOLERY

4
5 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING PROVISIONS ON BREAKING TIE VOTES; AND
6 REPEALING SECTIONS 13-16-501, 13-16-502, ~~13-16-503~~, AND 13-16-504, ~~13-16-505, 13-16-506,~~
7 ~~AND 13-16-507~~, MCA."

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

10
11 NEW SECTION. **Section 1. Tie votes broken by random method -- rulemaking.** (1) (a) Except as
12 OTHERWISE PROVIDED BY LAW AND AS provided in subsection (1)(b), if there is a tie vote FOLLOWING ANY RECOUNT
13 in any election for any office OR BALLOT MEASURE, the secretary of state shall break the tie by using an
14 entirely random method.

15 (b) If the secretary of state is one of the candidates in the tie, the governor shall break the tie by
16 using the random method adopted pursuant to this section.

17 (2) The secretary of state shall adopt rules to define the random method for breaking tie votes and
18 to administer the provisions of this section. However, the same method must be used in all elections for
19 all offices.

20
21 NEW SECTION. **Section 2. Repealer.** Sections 13-16-501, 13-16-502, ~~13-16-503~~, AND
22 13-16-504, ~~13-16-505, 13-16-506, and 13-16-507~~, MCA, are repealed.

23
24 NEW SECTION. **Section 3. Codification instruction.** [Section 1] is intended to be codified as an
25 integral part of Title 13, chapter 16, part 5, and the provisions of Title 13, chapter 16, part 5, apply to
26 [section 1].

27 - END -