

1 HOUSE BILL NO. 430

2 INTRODUCED BY C. SCHREINER

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING ELECTION LAWS RELATING TO THE DESIGNATION
5 OF AN AGENT TO ASSIST AN ELECTOR WITH THE REGISTRATION AND VOTING PROCESS; PROVIDING
6 THAT THE USE OF AN AGENT IS A REASONABLE ACCOMMODATION; AND AMENDING SECTION
7 13-1-116, MCA."

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

10
11 **Section 1.** Section 13-1-116, MCA, is amended to read:
12 **"13-1-116. Fingerprint, mark, or agent for disabled electors -- rulemaking.** (1) Except as otherwise
13 specified by law, the provisions of this section apply.

14 (2) Whenever a signature is required by an elector under a provision of this title and the elector is unable
15 because of a disability to provide a signature, the elector may provide a fingerprint, subject to subsection (6), or
16 an identifying mark or may request that an agent, election administrator, or election judge sign for the elector as
17 provided in this section.

18 (3) If an elector is unable to provide a fingerprint or an identifying mark and the elector has not
19 established an agent pursuant to subsection (4), the election administrator or an election judge may sign for the
20 elector after reviewing and verifying the elector's identification.

21 (4) (a) An elector who is unable to provide a signature may apply to the election administrator to have
22 another person designated as an agent for purposes of providing a signature or identifying mark required
23 pursuant to this title ~~and for delivering the disabled elector's absentee ballot application to the county election~~
24 ~~administrator as provided in 13-13-213 and for providing any other assistance to the elector throughout the~~
25 registration and voting process. The use of an agent is a reasonable accommodation under the provisions of
26 49-2-101(19)(b).

27 (b) An application for designation of an agent by an elector under this section must be made on a form
28 prescribed by the secretary of state. The secretary of state shall by rule establish the criteria that must be met
29 and the process that must be followed in order for a person to become a designated agent for a disabled elector
30 pursuant to this subsection (4).

