

1 HOUSE BILL NO. 69

2 INTRODUCED BY G. CUSTER

3 BY REQUEST OF THE SECRETARY OF STATE

4

5 A BILL FOR AN ACT ENTITLED: "AN ACT UPDATING THE TRAINING REQUIREMENTS FOR ELECTION
6 ADMINISTRATORS AND ELECTION STAFF; AMENDING SECTIONS 13-1-203 AND 13-4-203, MCA; AND
7 PROVIDING A DELAYED EFFECTIVE DATE."

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

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11 **Section 1.** Section 13-1-203, MCA, is amended to read:

12 **"13-1-203. Secretary of state to advise, assist, and train.** (1) The secretary of state shall advise and
13 assist election administrators, including administrators of school elections under Title 20, chapter 20, with regard
14 to:

15 (a) the application, operation, and interpretation of Title 13, except for chapter 35, 36, or 37;

16 (b) the implementation and operation of the National Voter Registration Act of 1993, Public Law 103-31;

17 and

18 (c) the procedures adopted pursuant to 13-17-211.

19 (2) The secretary of state shall prepare and distribute training materials for election judges to be trained
20 pursuant to 13-4-203. Sufficient copies of the materials to supply all election judges in the county and to provide
21 a small extra supply must be sent to each election administrator.

22 (3) (a) The secretary of state shall hold at least one ~~workshop~~ training session every 2 years to instruct
23 election administrators and their staffs ~~in use of the materials~~ on how to conduct and administer primary and
24 general elections. The training shall also include instruction on the use of the statewide voter registration system.
25 ~~Workshops~~ The training may be held in various locations around the state. THE TRAINING MUST ALSO BE OFFERED
26 ONLINE AND THROUGH TELECONFERENCING.

27 (b) Costs of the biennial training, including the materials, and workshops must be paid by the secretary
28 of state. ~~Attendees of the training must receive a certificate of instruction, which is valid for 2 years.~~

29 (4) In addition to completing the biennial training under subsection (3), each election administrator shall
30 complete 6 hours of election-related continuing education each year that is approved by the secretary of state.

1 Costs for the continuing education must be paid by the counties.

2 (5) The secretary of state shall:

3 (a) certify for election administration purposes each election administrator who attends the biennial
4 training and completes the required continuing education; and

5 (b) provide a certificate of completion to election staff who attend the biennial election training described
6 in subsection (3).

7 (6) An election administrator may require that election staff complete the continuing education described
8 in subsection (4) and provide a certificate of completion to staff who complete it."

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10 **Section 2.** Section 13-4-203, MCA, is amended to read:

11 **"13-4-203. Instruction of judges -- training materials.** (1) Before each election, all election judges ~~who~~
12 ~~do not possess a current certificate of instruction obtained pursuant to 13-1-203(3)~~ must be instructed by the
13 election administrator. In precincts where voting systems are used, instructions must cover both how to operate
14 the voting system and how to manually process any paper ballots.

15 (2) ~~Chief election judges~~ An election administrator may be required require a chief election judge to
16 attend the training session before each election, as well as a special session that may be held the election
17 administrator may hold for chief election judges only, even if ~~they~~ the chief election judge ~~possess~~ possesses a
18 current certificate of ~~instruction~~ completion pursuant to 13-1-203(5)(b).

19 (3) Any individual willing to be appointed as an election judge may attend an instruction session by
20 registering with the election administrator. However, the individual may not be paid for attendance unless the
21 individual is appointed as an election judge.

22 (4) Each election judge completing a training session under this section must be given a certificate of
23 completion. An individual may not serve as an election judge without a ~~valid~~ current certificate ~~obtained under~~
24 ~~13-1-203(3) or this section.~~ However, this requirement does not apply to individuals filling vacancies in
25 emergencies.

26 (5) ~~All election judges shall obtain a~~ A certificate of instruction ~~or be recertified~~ completion is current if
27 the certificate is obtained before the primary election in an even-numbered ~~years~~ year.

28 (6) Notice of the place and time of instruction must be given by the election administrator to the presiding
29 officers of the political parties in the county."

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