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| 1 | SENATE BILL NO. 163 |
| 2 | INTRODUCED BY K. REGIER |
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| 4 | A BILL FOR AN ACT ENTITLED: "AN ACT REVISING QUALIFICATIONS FOR ELECTION JUDGES; |
| 5 | PROVIDING THAT ELECTION JUDGES MUST BE CHOSEN FROM LISTS OF QUALIFIED ELECTORS IN A |
| 6 | COUNTY; AND AMENDING SECTIONS 13-4-102, 13-4-103, 13-4-107, AND 13-13-226, MCA." |
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| 8 | BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: |
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| 10 | **Section 1.** Section 13-4-102, MCA, is amended to read: |
| 11 | **"13-4-102. Manner of choosing election judges.** (1) Subject to 13-4-107, election judges must be |
| 12 | chosen from lists of qualified registered electors ~~for each precinct~~ in the county, submitted at least 45 days before |
| 13 | the primary election in even-numbered years by the county central committees of the political parties eligible to |
| 14 | nominate candidates in the primary. |
| 15 | (2) The list of each party may contain more names than the number of election judges to be appointed. |
| 16 | The names of those not appointed as election judges must be given to the election administrator for use in |
| 17 | making appointments to fill vacancies. |
| 18 | (3) Each board of election judges must include judges representing all parties that have submitted lists |
| 19 | as provided in subsection (1). No more than the number of election judges needed to obtain a simple majority |
| 20 | may be appointed from the list of one political party in each ~~precinct~~ county. If any of the political parties entitled |
| 21 | to do so fail to submit a list meeting the requirements of this section, the governing body shall, to the extent |
| 22 | possible, appoint judges so that all parties eligible to participate in the primary are represented on each board. |
| 23 | (4) The election administrator shall make appointments to fill vacancies from the list provided for in |
| 24 | subsection (2). ~~If the list is insufficient or if one or more of the eligible political parties fails to submit a list meeting~~ |
| 25 | ~~the requirements of this section, the election administrator may select enough people meeting the qualifications~~ |
| 26 | ~~of 13-4-107 to fill election judge vacancies in all precincts.~~ IF THE LIST IS INSUFFICIENT OR IF ONE OR MORE OF THE |
| 27 | ELIGIBLE POLITICAL PARTIES FAILS TO SUBMIT A LIST MEETING THE REQUIREMENTS OF THIS SECTION, THE ELECTION |
| 28 | ADMINISTRATOR MAY SELECT ENOUGH PEOPLE MEETING THE QUALIFICATIONS OF 13-4-107 TO FILL ELECTION JUDGE |
| 29 | VACANCIES IN ALL PRECINCTS. |
| 30 | (5) An elector chosen to potentially serve as an election judge must be notified of selection at least 30 |

1    days before the primary election in even-numbered years. Each elector who agrees to serve as an election judge

2    shall attend a training class conducted under 13-4-203 and shall continue to serve as provided in 13-4-103."

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4    **Section 2.** Section 13-4-103, MCA, is amended to read:

5    **"13-4-103. Judges to serve until others appointed.** The election judges continue to be judges of all

6    elections held in their ~~precincts~~ county until other judges are appointed."

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8    **Section 3.** Section 13-4-107, MCA, is amended to read:

9    **"13-4-107. Qualifications of election judges.** (1) Election judges shall be registered electors of the

10    county ~~and of the precinct~~ in which they serve~~, except as provided in 13-4-102(4)~~.

11    (2) No election judge may be a candidate or a spouse, ascendant, descendant, brother, or sister of a

12    candidate or a candidate's spouse or the spouse of any of these in an election precinct where the candidate's

13    name appears on the ballot. However, this does not apply to candidates for precinct offices."

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15    **Section 4.** Section 13-13-226, MCA, is amended to read:

16    **"13-13-226. Manner of selection.** The election administrator may make appointments to an absentee

17    election board from lists of qualified electors in the county prepared in substantially the same manner as provided

18    in 13-4-102. ~~If the list is insufficient to make all the appointments required, the election administrator may appoint~~

19    ~~any qualified registered elector from the county.~~ The election administrator may refuse for cause to appoint or

20    may for cause remove a member of an absentee election board."

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