

SENATE BILL NO. 352

INTRODUCED BY A. OLSZEWSKI, N. BALLANCE, S. BERGLEE, M. BLASDEL, D. BROWN, E. BUTTREY, A. DOANE, J. ESSMANN, J. FIELDER, G. HERTZ, S. HINEBAUCH, J. HINKLE, M. HOPKINS, D. HOWARD, D. KARY, B. KEENAN, T. MANZELLA, M. NOLAND, R. OSMUNDSON, A. REDFIELD, K. REGIER, D. SALOMON, C. SMITH, N. SWANDAL, F. THOMAS, G. VANCE, K. WAGONER, R. WEBB, D. ZOLNIKOV

A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING THE MONTANA BALLOT INTERFERENCE PREVENTION ACT; PROHIBITING THE COLLECTION OF ANOTHER INDIVIDUAL'S BALLOT; PROVIDING EXCEPTIONS; REQUIRING CERTAIN INDIVIDUALS WHO ARE AUTHORIZED TO COLLECT BALLOTS TO PROVIDE CERTAIN INFORMATION WHEN DELIVERING THE BALLOT TO A POLLING PLACE OR ELECTION ADMINISTRATOR'S OFFICE; PROVIDING PENALTIES AND DEFINITIONS; PROVIDING THAT THE PROPOSED ACT BE SUBMITTED TO THE QUALIFIED ELECTORS OF MONTANA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

NEW SECTION. **Section 1. Short title.** [Sections 1 through 5] may be cited as the "Montana Ballot Interference Prevention Act".

NEW SECTION. **Section 2. Definitions.** As used in [sections 1 through 5], the following definitions apply:

- (1) "Acquaintance" means an individual known by the voter.
- (2) "Caregiver" means an individual who provides medical or health care assistance to the voter in a residence, nursing care institution, hospice facility, assisted living center, assisted living home, residential care institution, adult day health care facility, or adult foster care home.
- (3) "Collect" means to gain possession or control of a ballot.
- (4) "Family member" means an individual who is related to the voter by blood, marriage, adoption, or legal guardianship.
- (5) "Household member" means an individual who resides at the same residence as the voter.

1 **NEW SECTION. Section 3. Ballot collection prohibited -- exceptions.** (1) Except as provided in
2 subsection (2), a person may not knowingly collect a voter's voted or unvoted ballot.

3 (2) This section does not apply to:

4 (a) an election official;

5 (b) a United States postal service worker or other individual specifically authorized by law to transmit
6 United States mail;

7 (c) a caregiver;

8 (d) a family member;

9 (e) a household member; or

10 (f) an acquaintance.

11 (3) An individual authorized to collect a voter's ballot pursuant to subsection (2)(c) through (2)(f) may not
12 collect and convey more than six ballots.

13
14 **NEW SECTION. Section 4. Record of delivery.** An individual permitted to collect and convey a ballot
15 under [section 3(2)(c) through (2)(f)] shall sign a registry when delivering the ballot to the polling place or the
16 election administrator's office. In addition to the signature requirement, the individual collecting and conveying
17 the ballot must provide the following information:

18 (1) the individual's name, address, and phone number;

19 (2) the voter's name and address; and

20 (3) the individual's relationship to the voter required to collect and convey a ballot pursuant to [section
21 3(2)(c) through (2)(f)].

22
23 **NEW SECTION. Section 5. Penalty.** A violation of a provision of [sections 1 through 5] is punishable
24 by a fine of \$500 for each ballot unlawfully collected.

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26 **NEW SECTION. Section 6. Codification instruction.** [Sections 1 through 5] are intended to be codified
27 as an integral part of Title 13, chapter 35, and the provisions of Title 13, chapter 35, apply to [sections 1 through
28 5].

29
30 **NEW SECTION. Section 7. Effective date.** [This act] is effective upon approval by the electorate.

