

1 SENATE BILL NO. 93

2 INTRODUCED BY G. VANCE

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4 A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING POLL WATCHERS AT EACH PLACE OF
5 DEPOSIT IN MAIL BALLOT ELECTIONS; AND AMENDING SECTIONS 13-13-120, 13-13-121, AND 13-19-
6 307, 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 13-13-120, MCA, is amended to read:

11 **"13-13-120. Poll watchers -- announcement of elector's name -- poll watchers authorized at**
12 **places of deposit in mail ballot elections.** (1) The election judges shall permit one poll watcher from each
13 political party to be stationed close to the poll lists in a location that does not interfere with the election
14 procedures. At the time when each elector signs the elector's name, one of the election judges shall pronounce
15 the name loud enough to be heard by the poll watchers. A poll watcher who does not understand the
16 pronunciation has the right to request that the judge repeat the name. Poll watchers must also be permitted to
17 observe all of the vote counting procedures of the judges after the closing of the polls and all entries of the
18 results of the elections.

19 (2) A candidate may not serve as a poll watcher at a polling place where electors are voting on ballots
20 with the candidate's name on them.

21 (3) At least one poll watcher from each political party must be permitted at each place of deposit
22 designated under 13-19-307 for a mail ballot election."

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24 **Section 2.** Section 13-13-121, MCA, is amended to read:

25 **"13-13-121. Additional poll watchers.** A candidate, a group of candidates, or any group having an
26 interest in the election may request the election administrator to allow additional poll watchers at any precinct or
27 any place of deposit designated under 13-19-307 for a mail ballot election. The election administrator shall
28 grant such requests if the number of poll watchers at the polling place or place of deposit will not interfere with

1 the election procedures."

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3 **Section 3.** Section 13-19-307, MCA, is amended to read:

4 **"13-19-307. Places of deposit -- poll watchers authorized.** (1) (a) The election administrator shall
5 designate the election administrator's office and may designate one or more places in the political subdivision in
6 which the election is being conducted as places of deposit where ballots may be returned in person by the
7 elector or the elector's agent or designee.

8 (b) If the election administrator's office is not accessible pursuant to 13-3-205, the election
9 administrator shall designate at least one accessible place of deposit.

10 (2) Prior to election day, ballots may be returned to any designated place of deposit during the days
11 and times set by the election administrator and within the regular business hours of the location.

12 (3) On election day, each location designated as a place of deposit must be open as provided in 13-1-
13 106, and ballots may be returned during those hours.

14 (4) The election administrator may designate certain locations as election day places of deposit, and
15 any designated location functions as a place of deposit only on election day.

16 (5) Each place of deposit must be staffed by at least two election officials who, except for election
17 judges serving in elections under Title 20, chapter 20, are selected in the same manner as provided for the
18 selection of election judges in 13-4-102.

19 (6) The election administrator shall provide each designated place of deposit with an official ballot
20 transport box secured as provided by law.

21 (7) Poll watchers must be allowed as provided in 13-13-120 and 13-13-121 at each place of deposit
22 during the days and times that the place of deposit is open for the return of ballots."

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