

1 HOUSE BILL NO. 495
2 INTRODUCED BY L. SHELDON-GALLOWAY
3
4 A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING LAWS RELATED TO ELECTION
5 PRECINCTS; REQUIRING THE PARTY PRECINCT COMMITTEE REPRESENTATIVES TO ASSIST IN
6 ENSURING THE COMPLETE, ACCURATE NATURE OF PRECINCT VOTER REGISTRATION LISTS;
7 REQUIRING THE COUNTY ELECTION ADMINISTRATORS TO CONDUCT BIENNIAL WORKING GROUP
8 SESSIONS RELATED TO PRECINCT VOTER REGISTRATION LISTS UNDER THE DIRECTION OF THE
9 SECRETARY OF STATE; REVISING TERMS OF PRECINCT COMMITTEE REPRESENTATIVES;
10 REQUIRING THE SECRETARY OF STATE TO PROVIDE CERTAIN FORMS AND RULES; AMENDING
11 SECTIONS 13-1-202, 13-1-203, 13-2-108, AND 13-38-202, MCA; AND PROVIDING AN IMMEDIATE
12 EFFECTIVE DATE."

13
14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

15
16 **NEW SECTION. Section 1. Duties of precinct committee representatives and county central**
17 **committee representatives related to elector lists.** (1) Committee representatives in each precinct are
18 responsible for assisting the county election administrator, with oversight from the secretary of state, to keep
19 current and accurate lists of all registered electors in the precinct.
20 (2) Elected county central committee representatives shall participate twice each year in a joint
21 working group with the county election administrator under the direction of the secretary of state. The meetings
22 must be held in the weeks of March 15 and September 15. The purpose of the working group is to audit the
23 county voter registration list in possession of the county election administrator, provided by the secretary of
24 state and maintained pursuant to Title 13, chapter 2, part 1, and the precinct registers established under 13-2-
25 116.
26 (3) If a working group member requests access to a death certificate, change of address
27 information filed with the U.S. postal service and in possession of a county election administrator, or other

Amendment - 1st Reading-white - Requested by: Lola Sheldon-Galloway - (H) State Administration

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Drafter: Rachel Weiss, 406-444-5367

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

3 (7) The secretary of state shall review the work of the two joint working group sessions required by
4 [section 1(2)] by March 30 and September 30 of each year to audit and ensure the accurate and current status
5 of the statewide voter registration list."

6
7 **Section 4.** Section 13-2-108, MCA, is amended to read:

8 **"13-2-108. Rulemaking for statewide voter registration list.** (1) The secretary of state shall adopt
9 rules to implement the provisions of 42 U.S.C. 15483 and this chapter.

10 (2) The rules must include but are not limited to:

11 (a) a list of maintenance procedures, including new data entry, updates, registration transfers,
12 biannual involvement of precinct committee representatives as provided in [section 1(2)], and other procedures
13 for keeping information current and accurate;

14 (b) proper maintenance and use of active and inactive lists;

15 (c) proper maintenance and use of lists for legally registered electors and provisionally registered
16 electors;

17 (d) technical security of the statewide voter registration system;

18 (e) information security with respect to keeping from general public distribution driver's license
19 numbers, whole or partial social security numbers, and address information protected from general disclosure
20 pursuant to 13-2-115; and

21 (f) quality control measures for the system and system users; and

22 (g) the content of the oath for working group members as provided in [section 1(3)].

23 (3) The rules adopted by the secretary of state must reflect that an elector who was properly
24 registered prior to January 1, 2003, is considered a legally registered elector."

25
26 **Section 5.** Section 13-38-202, MCA, is amended to read:

27 **"13-38-202. Committee Precinct committee representatives as party representatives -- county**

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1 **and city central committees.** (1) Each precinct committee representative shall represent the representative's
2 political party for the precinct in all ward or subdivision committees formed.

3 (2) The precinct committee representatives in each precinct constitute the county central
4 committee of the respective political parties and shall assist the county election administrator of the county,
5 under the direction of the secretary of state, to ensure the accuracy of the precinct's voter registration list as
6 required by [section 1].

7 (3) ~~Committee~~ Precinct committee representatives who reside within the limits of a city are ex
8 officio the city central committee of their respective political parties and have the power to make their own rules
9 not inconsistent with those of the county central committee. However, the county central committee has the
10 power to fill vacancies in the city central committee.

11 (4) Each precinct committee representative serves a term of ~~2 years from~~ of 2 years starting on the
12 date of the primary election in an even-numbered year through the date of the next even-numbered year
13 primary election or starting on the date of appointment pursuant to 13-38-201 through the date of the next even-
14 numbered year primary election or appointment pursuant to 13-38-201. ~~Once~~ When the term has expired, the
15 position becomes vacant.

16 (5) Vacancies in the office of precinct committee representative occur only on the death or written
17 resignation of the incumbent or when the incumbent is no longer a resident or registered voter of the precinct. A
18 precinct committee representative may not otherwise be removed from office. If a vacancy occurs, the
19 remaining members of the county central committee may select a precinct resident to fill the vacancy for the
20 remaining term."

21
22 NEW SECTION. Section 6. Codification instruction. [Section 1] is intended to be codified as an
23 integral part of Title 13, chapter 38, and the provisions of Title 13, chapter 38, apply to [section 1].

24
25 NEW SECTION. Section 7. Effective date. [This act] is effective on passage and approval.

26 - END -