

1 SENATE BILL NO. 481  
2 INTRODUCED BY C. GLIMM  
3 BY REQUEST OF THE (S) JOINT SELECT COMMITTEE ON ELECTION SECURITY  
4

5 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING CAST VOTE RECORDS FOR ALL ELECTIONS;  
6 PROVIDING FOR A FEE TO OBTAIN CERTAIN RECORDS; PROVIDING DEFINITIONS; AND PROVIDING  
7 AN EFFECTIVE DATE."  
8

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
10

11 NEW SECTION. Section 1. Cast vote record requirement -- availability -- retention -- fee for  
12 public documents. (1) The cast vote record function must be activated in all voting systems at all times.

- 13 (2) The cast vote records generated during an election  
14 (a) must be saved and must be retained in a secure manner for 7 years;  
15 (b) must be retained for legitimate purposes; and  
16 (c) are not public records.

17 (3) The secretary of state shall provide to the public copies of all court findings and pleadings of  
18 public record in any court proceeding that is filed pursuant to this section and shall charge a fee for paper  
19 copies that is commensurate with the cost of obtaining, printing, and distributing the public documents.

20 ~~(3)~~(4) For the purpose of this section, the following definitions apply:

- 21 (a) "Cast vote record" means a tally of the votes cast on an individual ballot. The term does not  
22 include an image of an individual ballot.  
23 (b) "Cast vote record function" means the feature in a voting system that allows the cast vote  
24 record to be generated.  
25 (c) "Legitimate purposes" means a court finding that there is probable cause to believe a violation  
26 of Title 13, chapter 35, parts 1 and 2, has occurred and that the cast vote record is relevant to the determination  
27 of whether the violation occurred.