

1 SENATE BILL NO. 86  
2 INTRODUCED BY S. MORIGEAU  
3 BY REQUEST OF THE MONTANA DISTRICTING AND APPORTIONMENT COMMISSION  
4

5 A BILL FOR AN ACT ENTITLED: "AN ACT LIMITING THE NUMBER OF REGISTERED VOTERS IN EACH  
6 ELECTION PRECINCT; AND AMENDING SECTION 13-3-101, MCA."

7  
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
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10 **Section 1.** Section 13-3-101, MCA, is amended to read:

11 **"13-3-101. Establishment of election precincts.** (1) The territorial unit for elections is the election  
12 precinct. All election precincts ~~shall~~must be designated by numbers, names, or both.

13 (2) The governing body of each county shall establish a convenient number of election precincts,  
14 equalizing the number of electors in each precinct as nearly as possible. A precinct may not contain more than  
15 2,000 2,500 registered voters. THIS SUBSECTION MAY ONLY BE APPLIED AT THE TIME A COUNTY GOVERNING BODY  
16 REVISES PRECINCT BOUNDARIES PURSUANT TO 13-3-102, AND EXCEPT AS PROVIDED IN SUBSECTION (3), IT MAY NOT BE  
17 OTHERWISE CONSTRUED TO REQUIRE A COUNTY GOVERNING BODY TO REVISE THE BOUNDARIES OF PRECINCTS MORE  
18 FREQUENTLY DUE TO FLUCTUATIONS OF REGISTERED VOTERS WITHIN THE PRECINCT BETWEEN DISTRICTING AND  
19 APPORTIONMENT PLANS ADOPTED UNDER ARTICLE V, SECTION 14, OF THE MONTANA CONSTITUTION.

20 (3) IF FLUCTUATIONS IN THE NUMBER OF REGISTERED VOTERS RESULT IN A PRECINCT WITH 3,750 OR  
21 MORE REGISTERED VOTERS, THE GOVERNING BODY SHALL ADJUST THE PRECINCT BOUNDARIES TO CONTAIN 2,500 OR  
22 FEWER REGISTERED VOTERS. IF THE GOVERNING BODY IS REQUIRED TO MAKE AN ADJUSTMENT TO A PRECINCT  
23 BOUNDARY PURSUANT TO THIS SUBSECTION, THE GOVERNING BODY IS NOT REQUIRED TO MAKE THE ADJUSTMENT  
24 DURING A YEAR IN WHICH A FEDERAL ELECTION IS SCHEDULED BUT SHALL MAKE THE ADJUSTMENT IN THE NEXT YEAR  
25 DURING WHICH THERE IS NOT A REGULARLY SCHEDULED FEDERAL ELECTION."

26 - END -