

1                                   \*\*\*\* BILL NO. \*\*\*\*  
2                                   INTRODUCED BY \*\*\*\*  
3                                   BY REQUEST OF THE \*\*\*\*  
4

5 A BILL FOR AN ACT ENTITLED: "AN ACT REGULATING THE USE OF DEEPFAKES IN ELECTION  
6 COMMUNICATIONS AND ELECTIONEERING COMMUNICATIONS; PROVIDING EXCEPTIONS;  
7 PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING DEFINITIONS; AND AMENDING SECTION 13-1-101,  
8 MCA."  
9

10           WHEREAS, the revolutionary innovations in generative artificial intelligence systems capable of  
11 producing image, audio, video, and multimedia content (AI-generated content) pose a threat to free and fair  
12 elections in the State of Montana;

13           WHEREAS, AI-generated content may be used to create deepfakes that falsely depict a candidate's  
14 speech or action in order to spread misinformation and disinformation at scale and with unprecedented speed;

15           WHEREAS, a deepfake is analogous to a person being forced to say something in a video recorded  
16 under duress, where the victim appears to say something they would not normally say, one through force and  
17 the other through deepfake technology;

18           WHEREAS, a voter's opinion of a candidate may be irreparably tainted by a fabricated representation  
19 of an office holder, incumbent, or candidate saying or doing something they did not say or do; and

20           WHEREAS, these false, negative portrayals may exist indefinitely once posted on the internet and  
21 permanently damage an office holder, incumbent, or candidate's reputation and even put their safety at risk.  
22

23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
24

25           NEW SECTION. **Section 1. Use of deepfakes in election communications and electioneering**  
26 **communications concerning a candidate for elective office -- disclosure requirements -- exceptions. (1)**

27 (a) Except as provided in subsection (1)(b), a person, corporation, committee, political party, or other entity  
28 shall not, within 60 days of an election at which an office holder, incumbent, or candidate for elective office will

1 appear on the ballot, distribute, disseminate, publish, broadcast, transmit, or display an election communication  
2 or an electioneering communication that the person, corporation, committee, political party, or other entity knew  
3 or should have known is a deepfake, as defined in 13-1-101, of a candidate or party on the ballot.

4 (b) The prohibition in subsection (1)(a) does not apply to an election communication or  
5 electioneering communication that includes a disclosure stating, "This \_\_\_\_\_ (image/audio/video/multimedia)  
6 has been edited and depicts speech or conduct that falsely appears to be authentic or truthful".

7 (c) The disclosure required in subsection (1)(b) must:

8 (i) for a printed communication, be stated in bold font with a font size of at least 12 points;

9 (ii) for a television or video communication, be clearly readable throughout the communication and  
10 occupy at least four percent of the vertical picture height;

11 (iii) for an internet public communication that includes text or graphic components, be viewable  
12 without the user taking any action and be large enough to be clearly readable; or

13 (iv) for any audio component of a communication, be at least three seconds in length and be  
14 spoken in a clearly audible and intelligible manner at either the beginning or the end of the audio component of  
15 the communication.

16 (2) It is not a violation of this section for:

17 (a) a radio or television broadcasting station, including a cable television, satellite television or  
18 streaming service operator, programmer or producer, that broadcasts an advertisement as part of a bona fide  
19 newscast, news interview, news documentary or on-the-spot coverage of a bona fide news event if the  
20 broadcast clearly acknowledges through content or a disclaimer, in a manner that can be easily read or heard,  
21 that the advertisement was generated in whole or in part by using artificial intelligence and does not accurately  
22 represent the speech or conduct of the depicted individual;

23 (b) a radio or television broadcasting station, including a cable television, satellite television or  
24 streaming service operator, programmer or producer, that broadcasts an advertisement when the station or  
25 streaming service is paid to broadcast the advertisement if the station or streaming service can show that it has  
26 disclosure requirements that are consistent with the requirements provided in subsections (1)(b) and (1)(c) of  
27 this section and that it provided those disclosure requirements to each person that purchased the broadcast or  
28 streaming of the advertisement;

1 (c) an advertisement that reasonably constitutes satire or parody if the advertisement includes a  
2 disclaimer consistent with the requirements provided in subsections (1)(b) and (1)(c) of this section; or

3 (d) a distribution platform that published, posted, or distributed an advertisement or a prerecorded  
4 phone message if the distribution platform can show that it has disclaimer requirements that are consistent with  
5 the requirements provided in subsections (1)(b) and (1)(c) of this section and that it provided those disclaimer  
6 requirements to the person or entity that purchased the distribution of the advertisement or prerecorded phone  
7 message by or on the distribution platform.

8  
9 **NEW SECTION. Section 2. Injunctive relief.** (1) An office holder, incumbent, candidate, or political  
10 party representing the office holder, incumbent, or candidate whose appearance, action, or speech is depicted  
11 in a deepfake that is included in an election communication or an electioneering communication distributed in  
12 violation of [Section 1] may:

13 (a) seek injunctive relief prohibiting the distribution, dissemination, publication, broadcast,  
14 transmission, or display of the deepfake; and

15 (b) seek reasonable attorney fees, filing fees, and costs of action.

16 (2) An action commenced pursuant to subsection (1) of this section must be heard by the district  
17 court at the earliest practical time.

18 (3) In any civil action alleging a violation of [Section 1], the plaintiff bears the burden of establishing  
19 the violation by clear and convincing evidence.

20  
21 **NEW SECTION. Section 3. Penalties.** A person who knowingly commits a violation of [Section 1]  
22 must be punished as follows:

23 (1) For a violation, a misdemeanor punishable by imprisonment in county jail for not more than 90  
24 days or a fine of not more than \$500, or both.

25 (2) If a violation occurs within 5 years of a previous conviction for a violation under [Section 1], a  
26 felony punishable by imprisonment in state prison for not more than 5 years or a fine of not more than \$1,000,  
27 or both.

28

1           **Section 4.** Section 13-1-101, MCA, is amended to read:

2           "**13-1-101. Definitions.** As used in this title, unless the context clearly indicates otherwise, the  
3 following definitions apply:

4           (1) "Active elector" means an elector whose name has not been placed on the inactive list due to  
5 failure to respond to confirmation notices pursuant to 13-2-220 or 13-19-313.

6           (2) "Active list" means a list of active electors maintained pursuant to 13-2-220.

7           ~~(3)~~ (a) "AI-generated content" means image, video, audio, multimedia, or text content that is  
8 substantially created or modified by generative artificial intelligence in a manner that materially alters the  
9 meaning or significance that a reasonable person would take away from the content.

10           ~~(b)~~ "AI-generated content" does not include image, video, audio, multimedia, or text content that is  
11 minimally edited, adjusted, or enhanced by generative artificial intelligence in a manner that does not materially  
12 alter the meaning or significance that a reasonable person would take away from the content.

13           ~~(3)(4)~~ "Anything of value" means any goods that have a certain utility to the recipient that is real and  
14 that is ordinarily not given away free but is purchased.

15           ~~(4)(5)~~ "Application for voter registration" means a voter registration form prescribed by the secretary  
16 of state that is completed and signed by an elector, is submitted to the election administrator, and contains  
17 voter registration information subject to verification as provided by law.

18           ~~(5)(6)~~ "Ballot" means a paper ballot counted manually or a paper ballot counted by a machine, such  
19 as an optical scan system or other technology that automatically tabulates votes cast by processing the paper  
20 ballots.

21           ~~(6)(7)~~ (a) "Ballot issue" or "issue" means a proposal submitted to the people at an election for their  
22 approval or rejection, including but not limited to an initiative, referendum, proposed constitutional amendment,  
23 recall question, school levy question, bond issue question, or ballot question.

24           (b) For the purposes of chapters 35 and 37, an issue becomes a "ballot issue" upon certification by  
25 the proper official that the legal procedure necessary for its qualification and placement on the ballot has been  
26 completed, except that a statewide issue becomes a "ballot issue" upon preparation and transmission by the  
27 secretary of state of the form of the petition or referral to the person who submitted the proposed issue.

28           ~~(7)(8)~~ "Ballot issue committee" means a political committee specifically organized to support or

1 oppose a ballot issue.

2 ~~(8)~~(9) "Candidate" means:

3 (a) an individual who has filed a declaration or petition for nomination, acceptance of nomination,  
4 or appointment as a candidate for public office as required by law;

5 (b) for the purposes of chapter 35, 36, or 37, an individual who has solicited or received and  
6 retained contributions, made expenditures, or given consent to an individual, organization, political party, or  
7 committee to solicit or receive and retain contributions or make expenditures on the individual's behalf to secure  
8 nomination or election to any office at any time, whether or not the office for which the individual will seek  
9 nomination or election is known when the:

10 (i) solicitation is made;

11 (ii) contribution is received and retained; or

12 (iii) expenditure is made; or

13 (c) an officeholder who is the subject of a recall election.

14 ~~(9)~~(10) (a) "Contribution" means:

15 (i) the receipt by a candidate or a political committee of an advance, gift, loan, conveyance,  
16 deposit, payment, or distribution of money or anything of value to support or oppose a candidate or a ballot  
17 issue;

18 (ii) an expenditure, including an in-kind expenditure, that is made in coordination with a candidate  
19 or ballot issue committee and is reportable by the candidate or ballot issue committee as a contribution;

20 (iii) the receipt by a political committee of funds transferred from another political committee; or

21 (iv) the payment by a person other than a candidate or political committee of compensation for the  
22 personal services of another person that are rendered to a candidate or political committee.

23 (b) The term does not mean:

24 (i) ;services provided without compensation by individuals volunteering a portion or all of their time  
25 on behalf of a candidate or political committee;

26 (ii) meals and lodging provided by individuals in their private residences for a candidate or other  
27 individual;

28 (iii) the use of a person's real property for a fundraising reception or other political event; or

1 (iv) the cost of a communication not for distribution to the general public by a religious organization  
2 exempt from federal income tax when compliance with Title 13 would burden the organization's sincerely held  
3 religious beliefs or practices.

4 (c) This definition does not apply to Title 13, chapter 37, part 6.

5 ~~(10)~~(11)"Coordinated", including any variations of the term, means made in cooperation with, in  
6 consultation with, at the request of, or with the express prior consent of a candidate or political committee or an  
7 agent of a candidate or political committee.

8 (12) "Deepfake" means AI-generated content or synthetic media that depicts a candidate or political  
9 party with the intent to injure the reputation of the candidate or party or otherwise deceive a voter that:

10 (a) appears to a reasonable person to depict a real individual saying or doing something that did  
11 not actually occur in reality; or

12 (b) provides a reasonable person a fundamentally different understanding or impression of the  
13 appearance, action, or speech than a reasonable person would have from the unaltered, original version of the  
14 image, audio recording, or video recording.

15 ~~(14)~~(13)"De minimis act" means an action, contribution, or expenditure that is so small that it does not  
16 trigger registration, reporting, disclaimer, or disclosure obligations under Title 13, chapter 35 or 37, or warrant  
17 enforcement as a campaign practices violation under Title 13, chapter 37.

18 ~~(12)~~(14)"Disability" means a temporary or permanent mental or physical impairment such as:

19 (a) impaired vision;

20 (b) impaired hearing;

21 (c) impaired mobility. Individuals having impaired mobility include those who require use of a  
22 wheelchair and those who are ambulatory but are physically impaired because of age, disability, or disease.

23 (d) impaired mental or physical functioning that makes it difficult for the person to participate in the  
24 process of voting.

25 ~~(13)~~(15)"Election" means a general, special, or primary election held pursuant to the requirements of  
26 state law, regardless of the time or purpose.

27 ~~(14)~~(16)(a) "Election administrator" means, except as provided in subsection ~~(14)~~(b), the county clerk  
28 and recorder or the individual designated by a county governing body to be responsible for all election

1 administration duties, except that with regard to school elections not administered by the county, the term  
2 means the school district clerk.

3 (b) As used in chapter 2 regarding voter registration, the term means the county clerk and recorder  
4 or the individual designated by a county governing body to be responsible for all election administration duties  
5 even if the school election is administered by the school district clerk.

6 ~~(15)~~(17)(a) "Election communication" means the following forms of communication to support or  
7 oppose a candidate or ballot issue:

8 (i) a paid advertisement broadcast over radio, television, cable, or satellite;

9 (ii) paid placement of content on the internet or other electronic communication network;

10 (iii) a paid advertisement published in a newspaper or periodical or on a billboard;

11 (iv) a mailing; or

12 (v) printed materials.

13 (b) The term does not mean:

14 (i) an activity or communication for the purpose of encouraging individuals to register to vote or to  
15 vote, if that activity or communication does not mention or depict a clearly identified candidate or ballot issue;

16 (ii) a communication that does not support or oppose a candidate or ballot issue;

17 (iii) a bona fide news story, commentary, blog, or editorial distributed through the facilities of any  
18 broadcasting station, newspaper, magazine, internet website, or other periodical publication of general  
19 circulation;

20 (iv) a communication by any membership organization or corporation to its members, stockholders,  
21 or employees;

22 (v) a communication not for distribution to the general public by a religious organization exempt  
23 from federal income tax when compliance with Title 13 would burden the organization's sincerely held religious  
24 beliefs or practices; or

25 (vi) a communication that the commissioner determines by rule is not an election communication.

26 ~~(16)~~(18) "Election judge" means a person who is appointed pursuant to Title 13, chapter 4, part 1, to  
27 perform duties as specified by law.

28 ~~(17)~~(19) "Election official" means an election administrator, election deputy, or election judge.

1 ~~(18)~~(20) "Election worker" means an individual designated by an election official to perform election  
2 support duties.

3 ~~(19)~~(21)(a) "Electioneering communication" means a paid communication that is publicly distributed by  
4 radio, television, cable, satellite, internet website, newspaper, periodical, billboard, mail, or any other  
5 distribution of printed materials, that is made within 60 days of the initiation of voting in an election, that does  
6 not support or oppose a candidate or ballot issue, that can be received by more than 100 recipients in the  
7 district voting on the candidate or ballot issue, and that:

- 8 (i) refers to one or more clearly identified candidates in that election;
- 9 (ii) depicts the name, image, likeness, or voice of one or more clearly identified candidates in that  
10 election; or
- 11 (iii) refers to a political party, ballot issue, or other question submitted to the voters in that election.

12 (b) The term does not mean:

- 13 (i) a bona fide news story, commentary, blog, or editorial distributed through the facilities of any  
14 broadcasting station, newspaper, magazine, internet website, or other periodical publication of general  
15 circulation unless the facilities are owned or controlled by a candidate or political committee;
- 16 (ii) a communication by any membership organization or corporation to its members, stockholders,  
17 or employees;
- 18 (iii) a commercial communication that depicts a candidate's name, image, likeness, or voice only in  
19 the candidate's capacity as owner, operator, or employee of a business that existed prior to the candidacy;
- 20 (iv) a communication that constitutes a candidate debate or forum or that solely promotes a  
21 candidate debate or forum and is made by or on behalf of the person sponsoring the debate or forum;
- 22 (v) a communication not for distribution to the general public by a religious organization exempt  
23 from federal income tax when compliance with Title 13 would burden the organization's sincerely held religious  
24 beliefs or practices; or
- 25 (vi) a communication that the commissioner determines by rule is not an electioneering  
26 communication.

27 ~~(20)~~(22) "Elector" means an individual qualified to vote under state law.

28 ~~(24)~~(23)(a) "Expenditure" means a purchase, payment, distribution, loan, advance, promise, pledge, or



1 gift of money or anything of value:

2 (i) made by a candidate or political committee to support or oppose a candidate or a ballot issue;

3 (ii) made by a candidate while the candidate is engaging in campaign activity to pay child-care

4 expenses as provided in 13-37-220; or

5 (iii) used or intended for use in making independent expenditures or in producing electioneering

6 communications.

7 (b) The term does not mean:

8 (i) services, food, or lodging provided in a manner that they are not contributions under subsection

9 (9);

10 (ii) except as provided in subsection (21)(a)(ii), payments by a candidate for personal travel

11 expenses, food, clothing, lodging, or personal necessities for the candidate and the candidate's family;

12 (iii) the cost of any bona fide news story, commentary, blog, or editorial distributed through the

13 facilities of any broadcasting station, newspaper, magazine, or other periodical publication of general

14 circulation;

15 (iv) the cost of any communication by any membership organization or corporation to its members

16 or stockholders or employees;

17 (v) the use of a person's real property for a fundraising reception or other political event; or

18 (vi) the cost of a communication not for distribution to the general public by a religious organization

19 exempt from federal income tax when compliance with Title 13 would burden the organization's sincerely held

20 religious beliefs or practices.

21 (c) This definition does not apply to Title 13, chapter 37, part 6.

22 ~~(22)~~(24) "Federal election" means an election in even-numbered years in which an elector may vote for

23 individuals for the office of president of the United States or for the United States congress.

24 ~~(23)~~(25) "General election" means an election that is held for offices that first appear on a primary

25 election ballot, unless the primary is canceled as authorized by law, and that is held on a date specified in 13-1-

26 104.

27 (26) "Generative artificial intelligence" or "generative AI" means an artificial intelligence system

28 capable of generating novel image, video, audio, multimedia, or text content based on prompts or other forms

1 of data provided by a person.

2 ~~(24)(27)~~"Inactive elector" means an individual who failed to respond to confirmation notices and whose  
3 name was placed on the inactive list pursuant to 13-2-220 or 13-19-313.

4 ~~(25)(28)~~"Inactive list" means a list of inactive electors maintained pursuant to 13-2-220 or 13-19-313.

5 ~~(26)(29)~~(a) "Incidental committee" means a political committee that is not specifically organized or  
6 operating for the primary purpose of supporting or opposing candidates or ballot issues but that may  
7 incidentally become a political committee by receiving a contribution or making an expenditure.

8 (b) For the purpose of this subsection (26), the primary purpose is determined by the  
9 commissioner by rule and includes criteria such as the allocation of budget, staff, or members' activity or the  
10 statement of purpose or goal of the person or individuals that form the committee.

11 ~~(27)(30)~~"Independent committee" means a political committee organized for the primary purpose of  
12 receiving contributions and making expenditures that is not controlled either directly or indirectly by a candidate  
13 and that does not coordinate with a candidate in conjunction with the making of expenditures except pursuant  
14 to the limits set forth in 13-37-216(1).

15 ~~(28)(31)~~"Independent expenditure" means an expenditure for an election communication to support or  
16 oppose a candidate or ballot issue made at any time that is not coordinated with a candidate or ballot issue  
17 committee.

18 ~~(29)(32)~~"Individual" means a human being.

19 ~~(30)(33)~~"Legally registered elector" means an individual whose application for voter registration was  
20 accepted, processed, and verified as provided by law.

21 ~~(34)(34)~~"Mail ballot election" means any election that is conducted under Title 13, chapter 19, by  
22 mailing ballots to all active electors.

23 ~~(32)(35)~~"Person" means an individual, corporation, association, firm, partnership, cooperative,  
24 committee, including a political committee, club, union, or other organization or group of individuals or a  
25 candidate as defined in subsection (8).

26 ~~(33)(36)~~"Place of deposit" means a location designated by the election administrator pursuant to 13-19-  
27 307 for a mail ballot election conducted under Title 13, chapter 19.

28 ~~(34)(37)~~(a) "Political committee" means a combination of two or more individuals or a person other than

1 an individual who receives a contribution or makes an expenditure:

2 (i) to support or oppose a candidate or a committee organized to support or oppose a candidate  
3 or a petition for nomination;

4 (ii) to support or oppose a ballot issue or a committee organized to support or oppose a ballot  
5 issue; or

6 (iii) to prepare or disseminate an election communication, an electioneering communication, or an  
7 independent expenditure.

8 (b) Political committees include ballot issue committees, incidental committees, independent  
9 committees, and political party committees.

10 (c) A candidate and the candidate's treasurer do not constitute a political committee.

11 (d) A political committee is not formed when a combination of two or more individuals or a person  
12 other than an individual makes an election communication, an electioneering communication, or an  
13 independent expenditure of \$250 or less.

14 (e) A joint fundraising committee is not a political committee.

15 ~~(35)~~(38) "Political party committee" means a political committee formed by a political party organization  
16 and includes all county and city central committees.

17 ~~(36)~~(39) "Political party organization" means a political organization that:

18 (a) was represented on the official ballot in either of the two most recent statewide general  
19 elections; or

20 (b) has met the petition requirements provided in Title 13, chapter 10, part 5.

21 ~~(37)~~(40) "Political subdivision" means a county, consolidated municipal-county government,  
22 municipality, special purpose district, or any other unit of government, except school districts, having authority  
23 to hold an election.

24 ~~(38)~~(41) "Polling place election" means an election primarily conducted at polling places rather than by  
25 mail under the provisions of Title 13, chapter 19.

26 ~~(39)~~(42) "Primary" or "primary election" means an election held on a date specified in 13-1-107 to  
27 nominate candidates for offices filled at a general election.

28 ~~(40)~~(43) "Provisional ballot" means a ballot cast by an elector whose identity or eligibility to vote has not

1    been verified as provided by law.

2           ~~(41)~~(44) "Provisionally registered elector" means an individual whose application for voter registration  
3    was accepted but whose identity or eligibility has not yet been verified as provided by law.

4           ~~(42)~~(45) "Public office" means a state, county, municipal, school, or other district office that is filled by  
5    the people at an election.

6           ~~(43)~~(46) "Random-sample audit" means an audit involving a manual count of ballots from designated  
7    races and ballot issues in precincts selected through a random process as provided in 13-17-503 and 13-17-  
8    510.

9           ~~(44)~~(47) "Registrar" means the county election administrator and any regularly appointed deputy or  
10   assistant election administrator.

11          ~~(45)~~(48) "Regular school election" means the school trustee election provided for in 20-20-105(1).

12          ~~(46)~~(49) "Religious organization" means a house of worship with the major purpose of supporting  
13   religious activities, including but not limited to a church, mosque, shrine, synagogue, or temple. The organic  
14   documents of the organization must list a formal code of doctrine and discipline, and the organization must  
15   spend the majority of its money on religious activities such as regular religious services, educational  
16   preparation for its ministers, development and support of its ministers, membership development, outreach and  
17   support, and the production and distribution of religious literature developed by the organization.

18          ~~(47)~~(50) "School election" has the meaning provided in 20-1-101.

19          ~~(48)~~(51) "School election filing officer" means the filing officer with whom the declarations for nomination  
20   for school district office were filed or with whom the school ballot issue was filed.

21          ~~(49)~~(52) "School recount board" means the board authorized pursuant to 20-20-420 to perform recount  
22   duties in school elections.

23          ~~(50)~~(53) "Signature envelope" means an envelope that contains a secrecy envelope and ballot and that  
24   is designed to:

25           (a)    allow election officials, upon examination of the outside of the envelope, to determine that the  
26   ballot is being submitted by someone who is in fact a qualified elector and who has not already voted; and

27           (b)    allow it to be used in the United States mail.

28          ~~(51)~~(54) "Special election" means an election held on a day other than the day specified for a primary

1 election, general election, or regular school election.

2 ~~(52)~~(55) "Special purpose district" means an area with special boundaries created as authorized by law  
3 for a specialized and limited purpose.

4 ~~(53)~~(56) "Statewide voter registration list" means the voter registration list established and maintained  
5 pursuant to 13-2-107 and 13-2-108.

6 ~~(54)~~(57) "Support or oppose", including any variations of the term, means:

7 (a) using express words, including but not limited to "vote", "oppose", "support", "elect", "defeat", or  
8 "reject", that call for the nomination, election, or defeat of one or more clearly identified candidates, the election  
9 or defeat of one or more political parties, or the passage or defeat of one or more ballot issues submitted to  
10 voters in an election; or

11 (b) otherwise referring to or depicting one or more clearly identified candidates, political parties, or  
12 ballot issues in a manner that is susceptible of no reasonable interpretation other than as a call for the  
13 nomination, election, or defeat of the candidate in an election, the election or defeat of the political party, or the  
14 passage or defeat of the ballot issue or other question submitted to the voters in an election.

15 (58) "Synthetic media" means an image, audio recording, or video recording of an individual's  
16 appearance, speech, or conduct that has been created or intentionally manipulated with the use of generative  
17 artificial intelligence or other digital technology to create a realistic but false image, audio, or video.

18 ~~(55)~~(59) "Valid vote" means a vote that has been counted as valid or determined to be valid as provided  
19 in 13-15-206.

20 ~~(56)~~(60) "Voted ballot" means a ballot that is:

- 21 (a) deposited in the ballot box at a polling place;  
22 (b) received at the election administrator's office; or  
23 (c) returned to a place of deposit.

24 ~~(57)~~(61) "Voter interface device" means a voting system that:

- 25 (a) is accessible to electors with disabilities;  
26 (b) communicates voting instructions and ballot information to a voter;  
27 (c) allows the voter to select and vote for candidates and issues and to verify and change  
28 selections; and

1 (d) produces a paper ballot that displays electors' choices so the elector can confirm the ballot's  
2 accuracy and that may be manually counted.

3 ~~(58)(62)~~ "Voting system" or "system" means any machine, device, technology, or equipment used to  
4 automatically record, tabulate, or process the vote of an elector cast on a paper ballot."  
5

6 **NEW SECTION. Section 5. Severability.** If a part of [this act] is invalid, all valid parts that are  
7 severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications,  
8 the part remains in effect in all valid applications that are severable from the invalid applications.  
9

10 **NEW SECTION. Section 6. Codification instruction.** [Sections 1 through 3] are intended to be  
11 codified as an integral part of Title 13, chapter 35, part 2, and the provisions of Title 13, chapter 35, part 2,  
12 apply to [sections 1 through 3].  
13

14 - END -