**** BILL NO. ****

INTRODUCED BY ****

BY REQUEST OF THE ****

A BILL FOR AN ACT ENTITLED: “AN ACT REQUIRING CAST VOTE RECORDS FOR ALL ELECTIONS; PROVIDING DEFINITIONS; AND PROVIDING AN EFFECTIVE DATE.”

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

NEW SECTION. **Section 1. Cast vote record requirement -- availability -- retention.** (1) (a) The cast vote record function must be activated in all voting systems at all times.

(b) The cast vote records generated during an election must be saved and must be retained in a secure manner for 7 years.

(2) (a) The cast vote records must be retained for legitimate purposes.

(b) Cast vote records are not public records.

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

(a) "Cast vote record" means a tally of the votes cast on an individual ballot. It does not mean an image of an individual ballot.

(b) "Cast vote record function" means the feature in a voting system that allows the cast vote record to be generated.

(c) "Identifying information" means any information that could connect an elector to the ballot cast by the elector.

(d) "Legitimate purposes" means a cause of action brought regarding a violation of Title 13, Chapter 35, parts 1 and 2.

NEW SECTION. **Section 2. Codification instruction.** [Section 1] is intended to be codified as an integral part of Title 13, chapter 13, part 1, and the provisions of Title 13, chapter 13, part 1, apply to [section 1].

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NEW SECTION. **Section 3. Effective date.** [This act] is effective July 1, 2023.

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