

SENATE BILL NO. 352

INTRODUCED BY A. OLSZEWSKI

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4 A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING THE MONTANA BALLOT INTERFERENCE

5 PREVENTION ACT; PROHIBITING THE COLLECTION OF ANOTHER INDIVIDUAL'S BALLOT; PROVIDING

6 EXCEPTIONS; REQUIRING CERTAIN INDIVIDUALS WHO ARE AUTHORIZED TO COLLECT BALLOTS TO

7 PROVIDE CERTAIN INFORMATION WHEN DELIVERING THE BALLOT TO A POLLING PLACE OR ELECTION

8 ADMINISTRATOR'S OFFICE; PROVIDING PENALTIES AND DEFINITIONS; PROVIDING THAT THE

9 PROPOSED ACT BE SUBMITTED TO THE QUALIFIED ELECTORS OF MONTANA; AND PROVIDING AN

10 IMMEDIATE EFFECTIVE DATE."

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

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14 NEW SECTION. **Section 1. Short title.** [Sections 1 through 5] may be cited as the "Montana Ballot

15 Interference Prevention Act".

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17 NEW SECTION. **Section 2. Definitions.** As used in [sections 1 through 5], the following definitions

18 apply:

- 19 (1) "Acquaintance" means an individual known by the voter.
- 20 (2) "Caregiver" means an individual who provides medical or health care assistance to the voter in a
- 21 residence, nursing care institution, hospice facility, assisted living center, assisted living home, residential care
- 22 institution, adult day health care facility, or adult foster care home.
- 23 (3) "Collect" means to gain possession or control of a ballot.
- 24 (4) "Family member" means an individual who is related to the voter by blood, marriage, adoption, or
- 25 legal guardianship.
- 26 (5) "Household member" means an individual who resides at the same residence as the voter.

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28 NEW SECTION. **Section 3. Ballot collection prohibited -- exceptions.** (1) Except as provided in

29 subsection (2), a person may not knowingly collect a voter's voted or unvoted ballot.

30 (2) This section does not apply to:

- 1 (a) an election official;
2 (b) a United States postal service worker or other individual specifically authorized by law to transmit
3 United States mail;
4 (c) a caregiver;
5 (d) a family member;
6 (e) a household member; or
7 (f) an acquaintance.

8 (3) An individual authorized to collect a voter's ballot pursuant to subsection (2)(c) through (2)(f) may not
9 collect and convey more than six ballots.

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11 **NEW SECTION. Section 4. Record of delivery.** An individual permitted to collect and convey a ballot
12 under [section 3(2)(c) through (2)(f)] shall sign a registry when delivering the ballot to the polling place or the
13 election administrator's office. In addition to the signature requirement, the individual collecting and conveying
14 the ballot must provide the following information:

- 15 (1) the individual's name, address, and phone number;
16 (2) the voter's name and address; and
17 (3) the individual's relationship to the voter required to collect and convey a ballot pursuant to [section
18 3(2)(c) through (2)(f)].

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20 **NEW SECTION. Section 5. Penalty.** A violation of a provision of [sections 1 through 5] is punishable
21 by a fine of \$500 for each ballot unlawfully collected.

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23 **NEW SECTION. Section 6. Codification instruction.** [Sections 1 through 5] are intended to be codified
24 as an integral part of Title 13, chapter 35, and the provisions of Title 13, chapter 35, apply to [sections 1 through
25 5].

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27 **NEW SECTION. Section 7. Effective date.** [This act] is effective upon approval by the electorate.

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29 **NEW SECTION. Section 8. Submission to electorate.** [This act] shall be submitted to the qualified
30 electors of Montana at the general election to be held in November 2018 by printing on the ballot the full title of

1 [this act] and the following:

2 YES on Legislative Referendum _____.

3 NO on Legislative Referendum _____.

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