

SENATE BILL NO. 440

INTRODUCED BY T. MANZELLA

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A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING PUBLIC REPORTS OF ELECTION RESULTS; PROVIDING THE INFORMATION TO BE INCLUDED IN THE REPORT; ESTABLISHING REPORTING REQUIREMENTS; AND PROVIDING RULEMAKING AUTHORITY."

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

NEW SECTION. Section 1. Report of election results -- rulemaking. (1) For an election, after the

vote count procedures provided in 13-15-101 are completed and before the canvass required in 13-15-401 begins, the county election administrator shall prepare a spreadsheet with the following information:

- (a) the total number of registered electors in the county;
- (b) the total number of ballots issued by type, including poll, absentee, provisional, and military-overseas;
- (c) the total number of votes cast by type, including poll, absentee, provisional, and military-overseas;
- (d) the total number of ballots accepted by type, including poll, absentee, provisional, and military-overseas;
- (e) the total number of ballots rejected by type, including poll, absentee, provisional, and military-overseas;
- (f) the total number of test ballots printed, counted, and accepted; and
- (g) precinct-level information including:
 - (i) the total number of registered voters in the precinct;
 - (ii) the total number of ballots counted in the precinct by type, including poll, absentee, provisional, and military-overseas; and
 - (iii) the total number of test ballots printed, counted, and accepted.

(2) The spreadsheet must be posted to the county election website in a place accessible by all

1 members of the public.

2 (3) A digital copy of the spreadsheet must be retained in perpetuity. A physical copy of the
3 spreadsheet must be retained with all other records for that election in accordance with the retention schedule
4 provided in 13-1-303.

5 (4) (a) The spreadsheet data must be submitted to the secretary of state prior to the certification of
6 the election.

7 (b) The secretary of state shall use the data submitted by the counties to prepare a comprehensive
8 reconciliation report prior to the certification of the election.

9 (c) If, in the process of preparing the comprehensive reconciliation report, the secretary of state
10 discovers discrepancies within a county's results, the secretary of state shall immediately refer the matter to
11 legislative leadership.

12 (d) If notified of discrepancies in a county's results, legislative leadership may convene the
13 legislative audit committee to investigate the matter.

14 (5) As soon as the report required in subsection (4) is available, the secretary of state shall:

15 (a) submit the report to the legislative services division, in accordance with 5-11-210, for
16 distribution to all members of the legislature;

17 (b) post the report to the statewide election website in a place accessible by all members of the
18 public; and

19 (c) present the report to the state administration and veterans' affairs interim committee at the first
20 meeting after a statewide or federal primary or general election.

21 (6) The secretary of state may adopt rules to implement the provisions of this section.

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23 NEW SECTION. Section 2. Codification instruction. [Section 1] is intended to be codified as an
24 integral part of Title 13, chapter 15, part 1, and the provisions of Title 13, chapter 15, part 1, apply to [section 1].

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