

1 **** BILL NO. ****

2 INTRODUCED BY ****

3 BY REQUEST OF THE ****

4
5 A BILL FOR AN ACT ENTITLED: "AN ACT PROTECTING INDIVIDUALS WHO CHOSE TO SERVE AS AN
6 ELECTION JUDGE FROM RETALIATION; AMENDING SECTION 13-4-102, MCA; AND PROVIDING AN
7 IMMEDIATE EFFECTIVE DATE."

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

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11 **Section 1.** Section 13-4-102, MCA, is amended to read:

12 **"13-4-102. Manner of choosing election judges.** (1) Subject to 13-4-107, election judges must be
13 chosen from lists of qualified registered electors in the county, submitted at least 45 days before the primary
14 election in even-numbered years by the county central committees of the political parties eligible to nominate
15 candidates in the primary.

16 (2) The list of each party may contain more names than the number of election judges to be
17 appointed. The names of those not appointed as election judges must be given to the election administrator for
18 use in making appointments to fill vacancies.

19 (3) Each board of election judges must include judges representing all parties that have submitted
20 lists as provided in subsection (1). No more than the number of election judges needed to obtain a simple
21 majority may be appointed from the list of one political party in each county. If any of the political parties entitled
22 to do so fail to submit a list meeting the requirements of this section, the governing body shall, to the extent
23 possible, appoint judges so that all parties eligible to participate in the primary are represented on each board.

24 (4) The election administrator shall make appointments to fill vacancies from the list provided for in
25 subsection (2). If the list is insufficient or if one or more of the eligible political parties fails to submit a list
26 meeting the requirements of this section, the election administrator may select enough people meeting the
27 qualifications of 13-4-107 to fill election judge vacancies in all precincts.

28 (5) An elector chosen to potentially serve as an election judge must be notified of selection at least

1 30 days before the primary election in even-numbered years. Each elector who agrees to serve as an election
2 judge shall attend a training class conducted under 13-4-203 and shall continue to serve as provided in 13-4-
3 103.

4 (6) It is the policy of this state that an employer may not retaliate against an employee who is
5 chosen to serve as an election judge."

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7 **NEW SECTION. Section 2. Effective date.** [This act] is effective on passage and approval.

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