

Amendment - 1st Reading-white - Requested by: Mike Cuffe - Conference Committee on SB 226

- 2025

69th Legislature 2025

Drafter: Rebecca Power,

SB0226.003.008

SENATE BILL NO. 226

INTRODUCED BY M. CUFFE

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING CERTIFICATION OF PETITION SIGNATURES TO ADD A FILING TIMELINE; AMENDING SECTION 13-27-302, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Section 13-27-302, MCA, is amended to read:

"13-27-302. Certification of signatures. (1) An affidavit, in substantially the following form, must be attached to each sheet or section submitted to the county official:

I, (name of person who is the signature gatherer), swear that I gathered the signatures on the petition to which this affidavit is attached on the stated dates, that I believe the signatures on the petition are genuine, are the signatures of the persons whose names they purport to be, and are the signatures of Montana electors who are registered at the address or have the telephone number following the person's signature, and that the signers knew the contents of the petition before signing the

petition. _____ (Date on which the first signature was

gathered) _____ (Signature of petition signature

gatherer) _____ (Address of petition signature gatherer)

Subscribed and sworn to before me this ____ day of _____, 20__

Seal _____ (Person authorized to take
oaths) _____ (Title or notarial information)

(2) (a) (i) The For an affidavit provided for in subsection (1) that is attached to a signature sheet with a collected signature dated 287 days or more prior to the final date provided in 13-27-104 for filing the petition, the signature gatherer or an agent of the group gathering signatures shall submit the affidavit and the signature sheet or the section to which the affidavit is attached to the county election administrator by 273 days

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before the final date provided in 13-27-104 for filing the petition.

(ii) For an affidavit provided for in subsection (1) that is attached to a signature sheet with a collected signature dated 245 days or more prior to the final date provided in 13-27-104 for filing the petition, the signature gatherer or an agent of the group gathering signatures shall submit the affidavit and the signature sheet or the section to which the affidavit is attached to the county election administrator by 231 days before the final date provided in 13-27-104 for filing the petition.

(iii) For an affidavit provided for in subsection (1) that is attached to a signature sheet with a collected signature dated 203 days or more prior to the final date provided in 13-27-104 for filing the petition, the signature gatherer or an agent of the group gathering signatures shall submit the affidavit and the signature sheet or the section to which the affidavit is attached to the county election administrator by 189 days before the final date provided in 13-27-104 for filing the petition.

(iv) For an affidavit provided for in subsection (1) that is attached to a signature sheet with a collected signature dated 161 days or more prior to the final date provided in 13-27-104 for filing the petition, the signature gatherer or an agent of the group gathering signatures shall submit the affidavit and the signature sheet or the section to which the affidavit is attached to the county election administrator by 147 days before the final date provided in 13-27-104 for filing the petition.

(v) For an affidavit provided for in subsection (1) that is attached to a signature sheet with a collected signature dated 119 days or more prior to the final date provided in 13-27-104 for filing the petition, the signature gatherer or an agent of the group gathering signatures shall submit the affidavit and the signature sheet or the section to which the affidavit is attached to the county election administrator by 105 days before the final date provided in 13-27-104 for filing the petition.

(vi) FOR AN AFFIDAVIT PROVIDED FOR IN SUBSECTION (1) THAT IS ATTACHED TO A SIGNATURE SHEET WITH A COLLECTED SIGNATURE DATED ~~98 DAYS~~ 77 days OR MORE PRIOR TO THE FINAL DATE PROVIDED IN 13-27-104 FOR FILING THE PETITION, THE signature gatherer or an agent of the group gathering signatures shall submit the affidavit provided for in subsection (1) and the signature sheet or the section to which the affidavit is attached to the county election administrator within 4 weeks of the first collected signature covered by the affidavit BY ~~84~~ DAYS 63 days BEFORE THE FINAL DATE PROVIDED IN 13-27-104 FOR FILING THE PETITION.

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1 (b) ONCE THE AFFIDAVIT PROVIDED FOR IN SUBSECTION (1) IS SUBMITTED, THE ELECTION ADMINISTRATOR
2 SHALL DATE AND TIME STAMP THE AFFIDAVIT, REGISTER IT IN A LOG, AND PROVIDE A RECEIPT OF SUBMISSION TO THE
3 SIGNATURE GATHERER OR AGENT OF THE GROUP GATHERING SIGNATURES.

4 (b)(c) If the affidavit and the signature sheet or the section to which the affidavit is attached are
5 SUBJECT TO ~~THE~~ a DEADLINE IN SUBSECTION (2)(A) AND ARE not submitted within 4 weeks of the earliest signature
6 covered by the affidavit THE TIMELINE REQUIRED UNDER SUBSECTION (2)(A), the county election administrator shall
7 reject the filing and may not process it further."

8

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

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