

1 \*\*\*\* BILL NO. \*\*\*\*  
2 INTRODUCED BY \*\*\*\*  
3 BY REQUEST OF THE \*\*\*\*  
4

5 A BILL FOR AN ACT ENTITLED: "AN ACT CREATING AN ELECTION SECURITY AND INTEGRITY STAFF  
6 AND COMPLAINT PROCESS IN THE DEPARTMENT OF JUSTICE; PROVIDING DUTIES; PROVIDING AN  
7 APPROPRIATION; AND PROVIDING AN EFFECTIVE DATE."

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9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
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11 NEW SECTION. Section 1. Election security and integrity staff -- duties. (1) There are two  
12 election security and integrity staff positions within the department of justice. The staff positions shall  
13 investigate complaints as provided in [section 2] and prosecute cases as provided in [section 3]. The staff  
14 positions are under the supervision of the attorney general. The staff positions are:

15 (a) one investigator qualified by education, training, experience, and high professional competence  
16 in investigative procedures who shall investigate complaints as provided in [section 2]; and

17 (b) one attorney licensed to practice law in Montana who shall investigate complaints as provided  
18 in [section 2] and prosecute violations of election law as provided in [section 3].

19 (2) The primary focus of the investigator and attorney in subsection (1) must be the investigation  
20 and prosecution of cases concerning violations provided in [section 2]. If the investigator and attorney have  
21 additional capacity, they may be assigned to other work within the department of justice with the understanding  
22 that they must return to their election-related work if a new complaint is submitted.  
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24 NEW SECTION. Section 2. Complaint process. (1) An individual may report to the staff referenced  
25 in [section 1] an alleged violation of election law under Title 13, chapter 35, part 2 or an alleged violation of Title  
26 45, chapter 7 by an election official in the course of administering an election. Upon receiving a complaint, the  
27 staff shall investigate the report and proceed pursuant to [section 3] if the staff have cause to believe that a  
28 violation has occurred.

