

Jack's Revisions and Additions to MCA 2019 as of 10-5-2021

- Note:** (1) Additions to text are in capital letters and bolded.
(2) Existing text struck out are revisions suggested.
(3) This Montana law is found at [Link here](#).
(4) Page numbers are also added.
(5) Notes are also added to explain the change where applicable and are not to remain on the MCA .
(6) Changes also incorporate many of the suggestions of Kirk MacKenzie in the two letters embedded below; Subject: Election Integrity directed to Montana Flathead County Clerk & Recorder Debbie Pierson and Flathead County Government.



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Montana Code Annotated 2019

TITLE 13. ELECTIONS

CHAPTER 17. VOTING SYSTEMS

Part 1. General Provisions

Required Specifications For Voting Systems

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13-17-103. Required specifications for voting systems PROCESS. (1) A voting system PROCESS may not be approved under [13-17-101](#) unless the voting system PROCESS:

- (a) allows an elector to vote in secrecy EITHER IN PERSON OR ABSENTEE BALLOT AS DESCRIBED IN (L);
- (b) prevents an elector from voting for any candidate or on any ballot issue more than once;
- (c) prevents an elector from voting on any office or ballot issue for which the elector is not entitled to vote;
- (d) allows an elector to vote only for the candidates of the party selected by the elector in the primary election;
- (e) allows an elector to vote a split ticket in a general election if the elector desires;
- (f) allows each valid vote cast to be registered and recorded within the performance standards adopted pursuant to subsection (3);
- (g) is protected from tampering for a fraudulent purpose;
- (h) prevents an individual from seeing or knowing the number of votes registered for any candidate or on any ballot issue during the progress of voting;

(I) VOTER MUST PRESENT PHOTO ID IN THE FORM OF A STATE DRIVERS LICENSE OR A STATE GENERATED ID IF CITIZEN DOES NOT DRIVE OR PASSPORT OR OTHER LIKE OFFICIAL VERIFIED ID.

(J) VOTER MUST PRESENT EVIDENCE THEY ARE A NATURAL BORN OR A RIGHTFUL NATURALIZED CITIZEN OF THE UNITED STATES OF AMERICA, E.G. BIRTH CERTIFICATE, CURRENT U.S.A PASSPORT OR NATURALIZATION PAPERS. SEE MCA 13-2-206, U.S. CONSTITUTION AMENDMENT XIV, SECTION 1.

(a) THE FOLLOWING ADMINISTRATIVE RULES OF MONTANA SHOULD ALSO BE CHANGED TO POINT TO MCA 13-2-206; ARM'S 44.3.2002, 44.3.2005, 44.3.2011, 44.3.2015, 44.3.2102, 44.3.2110, 44.3.2302, 44.3.2203, 43.3.2304.

(b) CONVERSELY, MCA 13-2-206 SHOULD BE REVISED TO POINT TO ALL MONTANA ID RELATED ARM'S, MCA'S, ET AL.

(K) VOTER MUST PRESENT EVIDENCE THEY ARE 18 YEARS OLD OR OLDER TO VOTE IN THE FORM OF A STATE DRIVERS LICENSE OR STATE PHOTO ID OR U.S. PASSPORT. U.S. CONSTITUTION AMENDMENT 26, SECTION 1.

(L) AN ABSENTEE BALLOT MAY BE USED IF GENERATED BY THE COUNTY ELECTION OFFICE ONLY AFTER THE STATE CITIZEN VERIFIES THEMSELF

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WITH PHOTO ID AND PRESENTS EVIDENCE THEY ARE NATURAL BORN OR RIGHTFUL NATURALIZED CITIZEN AND PROOF OF THEIR RESIDENCE IN THE APPLICABLE COUNTY AND PRECINCT.

(M) FEDERAL FUNDS CANNOT BE USED TO PURCHASE VOTING EQUIPMENT.

[EXPLANATION NOTE: BECAUSE THIS AMOUNTS TO FEDERAL ELECTION MEDDELING INTENTIONALLY UNDERMINING STATE SOVEREIGNTY BY PRESSURING THE COUNTIES TO BUY FOREIGN VOTING EQUIPMENT FROM THE SAME GLOBALIST MANUFACTURES WHO HAVE A MONOPOLY ON THIS PROPRIETARY EQUIPMENT AND WHO HAVE BEEN PROVEN TO BE AGREESIVE POLITICAL LOBBYING WITH THE GOVERNMENT PLUS LYING ABOUT THE CYBER SECURITY OF THEIR ELECTION EQUIPMENT]

(N) BALLOTS MUST BE AUDITABLE, NUMBERED WITH UNIQUE BACKGROUND WATERMARK.

(O) COMPUTERS CANNOT BE USED OR VOTING DATA STORED ON DEVICES ON A NETWORK ACCESSIBLE TO THE INTERNET INCLUDING A LOCAL AREA NETWORK OR A COMMERCIAL NETWORK ACCESSIBLE BY, E.G. CELL TOWERS.

(P) VOTER VALIDATION PROCESS TO ALLOW THE VOTER TO VERIFY HIS/HER VOTE HAS BEEN RECEIVED AND RECORDED THE NEXT DAY.

(Q) NO POLLING OR FORECASTING OF PREELECTION RESULTS SHALL BE ALLOWED IN MONTANA.

(R) INTEGRITY OF VOTER REGISTRATION DATA BASES SECURED AND CONTINUALLY AUDITED AND CLEANED.

(S) ACCOUNTABILITY MUST BE PROVIDED INCLUDING TRACEABILITY TO INDIVIDUAL BALLOTS AND APPLICABLE RECORDS OF THE ELECTION PROCESS INCLUDING THE CHAIN OF CUSTODY AND A PAPER TRAIL OF THE PHYSICAL BALLOT CAST.

(T) NO VOTING EQUIPMENT MAY BE USED OR PURCHASED.

[EXPLANATION NOTE: BECAUSE OF THE FOLLOWING REASONS; COST OF CONTINUAL CERTIFICATION IS PROHIBITIVE, SOFTWARE IS ALWAYS PROPRIETARY AND PROGRAMMABLE AND CAN EASILY BE CONNECTED TO THE INTERNET OR A COMPUTER AND ES&S EQUIPMENT DOES NOT RPEORT INDIVIDUAL VOTES, I.E. ONLY VOTE TOTALS. FURTHERMORE ELECTION DEPARTMENT STAFF CANNOT PERFORM THESE FUNCTIONS, MONITOR IF THE MACHINES ARE CONNECTED TO THE INTERNET OR BEING TAMPERED WITH OR CALCULATING VERSUS COUNTING OR BEING CENTRALLY CONTROLLED FOR A

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SET POINT END RESULT AS IN ATM MACHINES . I.E. TOTAL VOTES CAST CAN BE EASILY MANIPULATED WITH A PAPER TRAIL AND ITS PROCESS THREAD DOWN TO THE INDIVIDUAL ORIGINAL BALLOT FROM THE VOTER. UNDER CURRENT LAWS ELECTION STAFF CANNOT TELL IF THE EQUIPMENT IS CALCULATING OR COUNTING THE BALLOTS.]

(U) ONLY OPEN SOURCE AND OPEN SYSTEMS WITH NO PROPRIETARY VOTING EQUIPMENT CAN BE USED WITH MANUFACTURES WHO HAVE A PROVEN HISTORY BEING FREE OF POLITICAL AGENDAS ONCE FULL ELECTION INTEGRITY IS RESTORED AFTER 3 ELECTIONS OF FULL FORENSIC AUDITS FINDING NO ERRORS.

(V) SEVERE CRIMINAL PENALTIES FOR VIOLATIONS WILL BE PURSUED AGAINST ANY GOVERNMENT OFFICIALS AND NON GOVERNMENT ORGANIZATONS AND MANUFACTURES.

(X) BUDGET FOR A STATE WIDE ELECTION CYBER SECURITY STAFF WILL BE ESTABLISHED TO HIRE A TEAM OF EXPERIENCED AND EDUCATED PROFESSIONALS WHO WILL CONTINUALLY MONITOR ALL 56 COUNTIES ELECTION AND OTHER COMPUTER DEPARTMENTS EQUIPMENT TO ASSURE THAT ELECTION EQUIPMENT IS COMPLETELY STAND ALONE AND PHYSICALLY SEPARATED FROM A NETWORK OR COMPUTER OR MODEM INTERFACING DEVISE AND THIS INCLUDES IMMEDIATELY CEASING DOING BUSINESS WITH GLOBAL CORPORATION MANUFACTURES OF VOTING EQUIPMENT SUCH AS DOMINION, ES&S ESPECIALLY USING PROPRIETARY SOFTWARE AND/OR ARE NOT FULLY OPENING THEIR EQUIPMENT TO INSPECTION ON SITE OF THEIR HARDWARE AND THE USE OF ANY NETWORK CONNECTION DEVICES.

~~(i) allows write-in voting;~~

~~(j) will, if purchased by a jurisdiction within the state, be provided with a guarantee that the training and technical assistance will be provided to election officials under the contract for purchase of the voting system;~~

(M) uses a paper ballot that allows votes to be manually counted ONLY; and

~~(l) allows auditors to access and monitor any software program while it is running on the system to determine whether the software is running properly.~~

(2) A voter interface device may not be approved for use in this state[.] unless:

~~(a) the device meets the electronic security standards adopted by the secretary of state;~~

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~~(b) — the device provides accessible voting technology for electors with hearing, vision, speech, or ambulatory impairments;~~

~~(c) — the device meets all requirements specified in subsection (1);~~

~~(d) — the device has been made available for demonstration and use by electors with disabilities in at least one public event held by the secretary of state; and~~

~~(e) — disabled electors have been able to participate in the process of determining whether the system meets accessibility standards.~~

~~(3) — To implement the provisions of subsection (1)(f), the secretary of state shall adopt rules setting a benchmark performance standard that must be met in tests by each voting system prior to approval under [13-17-101](#). The standard must be based on commonly accepted industry standards for readily available technologies.~~

History: En. Sec. 143, Ch. 368, L. 1969; R.C.M. 1947, 23-3802(1), (3); amd. Sec. 196, Ch. 571, L. 1979; amd. Sec. 33, Ch. 370, L. 1987; amd. Sec. 65, Ch. 414, L. 2003; amd. Sec. 1, Ch. 275, L. 2005; amd. Sec. 17, Ch. 286, L. 2005; amd. Sec. 27, Ch. 273, L. 2007; amd. Sec. 28, Ch. 297, L. 2009; amd. Sec. 4, Ch. 325, L. 2019.

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