

Senator Cobb, Please call if  
you have any questions.

Talking Points - SB 500

Amia Rasmussen  
Cell 461-5350

SB500 addresses some obstacles in the voting process that people with disabilities face under current law. MAP identified these issues during the last election cycle while implementing its program to ensure that Montanans with disabilities participate in the electoral process to the greatest extent possible. SB 500:

SENATE STATE ADMIN.  
EXHIBIT NO. 2  
DATE 2.18.05  
BILL NO. SB500

**1. Standardizes the definition of a signature for the purpose of the election laws.**

Under current law, there is only one election provision that provides that an identifying mark or fingerprint may constitute a signature. All other provisions that require signatures, such as those for registration or absentee ballot application, do not provide that accommodation. We learned during this past election cycle that this has led to confusion about the sufficiency of a mark or fingerprint as a signature for these other provisions. As a result, caregivers and others have signed registration documents for electors to ensure that they are legible, which then do not match the signature that the elector actually provides at the polling place, raising a suspicion of fraud. The bill eliminates this by making signature requirements uniform.

**2. Allows electors with disabilities to authorize an election official to sign election documents for them, or designate an agent for that purpose.**

This bill would also allow an elector who cannot make an identifying mark and chooses not to provide a fingerprint to either authorize an election official to sign for the elector, or choose an agent for purposes of signing election documents. The bill provides rule making authority to the Secretary of State to provide a form for the designation of an agent.

**3. Requires that future polling places comply with the ADA accessibility guidelines.**

Current law requires polling places to comply with the Uniform Federal Accessibility Guidelines (UFAS). Since the passage of that requirement, the federal government has developed new standards to implement the ADA. These standards are similar, but the most helpful tools from both the federal government and private sources that county officials can use to assess polling place accessibility are based upon the ADA accessibility guidelines.

**4. Requires that election officials ask an elector if the elector wants assistance.**

Many electors with disabilities have assistance with transportation to the polls on election day. Often the person giving assistance is someone that the elector knows and would like to have in the voting booth for aid, but sometimes that person is a stranger, or is someone that the elector does not want to receive help from. Unfortunately, we have seen that some election officials presume that a person that arrives with an elector with a disability is the person that the elector chooses to have assist them in the booth. This bill would require an election official to ask the elector if they want assistance and thus give the elector an opportunity to choose not to have assistance from the person accompanying the elector.

Hearing: Friday 2/18  
3:00 State Admin. Rm 335