

1 HOUSE BILL NO. 471

2 INTRODUCED BY K. VAN DYK

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4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING ABSENTEE BALLOT APPLICATION PROVISIONS;
5 ELIMINATING THE REQUIREMENT FOR AN ADDRESS CONFIRMATION NOTICE; PROVIDING THAT AN
6 ELECTOR IS REMOVED FROM THE LIST FOR SUBSEQUENT ABSENTEE BALLOTS IF A MAILED
7 ABSENTEE BALLOT IS RETURNED UNDELIVERABLE; AND AMENDING SECTION 13-13-212, MCA."

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

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11 **Section 1.** Section 13-13-212, MCA, is amended to read:

12 **"13-13-212. Application for absentee ballot -- special provisions.** (1) (a) Except as provided in
13 subsection (1)(b), an elector may apply for an absentee ballot by using a standardized form provided by rule by
14 the secretary of state or by making a written request, which must include the applicant's birth date and must be
15 signed by the applicant. The request must be submitted to the election administrator of the applicant's county of
16 residence within the time period specified in 13-13-211.

17 (b) A person who holds a power of attorney from an absent uniformed services elector may apply for an
18 absentee ballot for that election on behalf of the uniformed services elector. The applicant shall provide a copy
19 of the power of attorney authorizing the request for an absentee ballot along with the application.

20 (2) (a) If an elector requests an absentee ballot because of a sudden illness or health emergency, the
21 application for an absentee ballot may be made by written request signed by the elector at the time that the ballot
22 is delivered in person by the special absentee election board provided for in 13-13-225.

23 (b) The elector may request by telephone, facsimile transmission, or other means to have a ballot and
24 application personally delivered by the special absentee election board at the elector's place of confinement,
25 hospitalization, or residence within the county.

26 (c) A request under this subsection (2) must be received by the election administrator within the time
27 period specified in 13-13-211(2).

28 (3) An elector who has made a request for an absentee ballot by one of the methods provided in this
29 section may, in the event of the death of a candidate after the primary election but before the general election,
30 make a request for a replacement ballot. The request for a replacement ballot may be made orally to the election

1 administrator.

2 (4) (a) When applying for an absentee ballot under this section, an elector may also request to be mailed
3 an absentee ballot, as soon as the ballot becomes available, for each subsequent election in which the elector
4 is eligible to vote or only for each subsequent federal election in which the elector is eligible to vote for as long
5 as the elector remains qualified to vote and resides at the address provided in the initial application.

6 (b) ~~The election administrator shall mail an address confirmation form in January and July of each year
7 to each elector who has requested an absentee ballot for subsequent elections. The address confirmation form
8 mailed in January is for elections to be held between February 1 following the mailing through July of the same
9 year, and the address confirmation form mailed in July is for elections to be held between August 1 following the
10 mailing through January of the succeeding year. The elector shall sign the form, indicate the address to which
11 the absentee ballot should be sent, and return the form to the election administrator. If the form is not completed
12 and returned~~ If an absentee ballot mailed to an elector who has requested an absentee ballot for each
13 subsequent election pursuant to subsection (4)(a) is returned to the election administrator as undeliverable, the
14 election administrator shall remove the elector from the register of electors who have requested an absentee
15 ballot for each subsequent election.

16 (c) An elector who has been removed from the register may subsequently request to be mailed an
17 absentee ballot for each subsequent election."

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