

HOUSE BILL NO. 330

INTRODUCED BY B. BENNETT

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4 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING VOTER REGISTRATION FORMS TO BE
5 STANDARDIZED AND TO PROVIDE AN OPTION FOR REQUESTING TO BE PLACED ON A PERMANENT
6 ABSENTEE BALLOT LIST TO RECEIVE ABSENTEE BALLOTS FOR SUBSEQUENT ELECTIONS; PROVIDING
7 RULEMAKING AUTHORITY; AND AMENDING SECTIONS 13-2-110, 13-13-212, AND 13-21-210, MCA."

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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. Standard application form for voter registration and absentee ballot**
12 **requests.** (1) The secretary of state shall establish by rule a standard application form, to be used by each
13 election administrator, that allows an individual to apply for voter registration and to request to be added to the
14 permanent absentee ballot list in order to receive ballots for subsequent elections.

15 (2) Pursuant to 13-13-212(4), the absentee ballot application portion of the standard form must include
16 substantially the following language and options:

17 Optional: I request an absentee ballot to be mailed to me for as long as I reside at the address listed:
18 [] for each subsequent election in which I am eligible to vote; or
19 [] for each subsequent federal election in which I am eligible to vote.

20 I understand that in order to continue to receive an absentee ballot, I must complete, sign, and return a
21 confirmation form that will be mailed to me in January of each year.

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23 **Section 2.** Section 13-2-110, MCA, is amended to read:
24 **"13-2-110. Application for voter registration -- sufficiency and verification of information --**
25 **identifiers assigned for voting purposes.** (1) An individual may apply for voter registration in person or by mail
26 by completing and signing ~~an~~ the standard application form for voter registration provided for in [section 1] and
27 providing the application to the election administrator in the county in which the elector resides.

28 (2) An individual applying by mail shall send the application to the election administrator, postage paid,
29 no later than 15 days after the date it is signed.

30 (3) Each application for voter registration must be accepted and processed as provided in rules adopted

1 under 13-2-109.

2 (4) Except as provided in subsection (5):

3 (a) an applicant for voter registration shall provide the applicant's driver's license number; or

4 (b) if the applicant does not have a driver's license, the applicant shall provide the last four digits of the
5 applicant's social security number.

6 (5) (a) If an applicant does not have a driver's license or social security number, the applicant shall
7 provide as an alternative form of identification:

8 (i) a current and valid photo identification, including but not limited to a school district or postsecondary
9 education photo identification or a tribal photo identification, with the individual's name; or

10 (ii) a current utility bill, bank statement, paycheck, government check, or other government document that
11 shows the individual's name and current address.

12 (b) The alternative form of identification must be:

13 (i) an original version presented to the election administrator if the applicant is applying in person; or

14 (ii) a copy of any of the required documents, which must be enclosed with the application, if the applicant
15 is applying by mail.

16 (6) (a) If information provided on an application for voter registration is sufficient to be accepted and
17 processed and is verified pursuant to rules adopted under 13-2-109, the election administrator shall register the
18 elector as a legally registered elector.

19 (b) If information provided on an application for voter registration was sufficient to be accepted but the
20 applicant failed to provide the information required in subsection (4) or (5) or if the information provided was
21 incorrect or insufficient to verify the individual's identity or eligibility to vote, the election administrator shall register
22 the applicant as a provisionally registered elector.

23 (7) Each applicant for voter registration must be notified of the elector's registration status pursuant to
24 rules adopted under 13-2-109.

25 (8) The secretary of state shall assign to each elector whose application was accepted a unique
26 identification number for voting purposes and shall establish a statewide uniform method to allow the secretary
27 of state and local election officials to distinguish legally registered electors from provisionally registered electors.

28 (9) The provisions of this section may not be interpreted to conflict with voter registration accomplished
29 under 13-2-221, 13-21-201, 13-21-203, and 61-5-107 and as provided for in federal law."

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1 **Section 3.** Section 13-13-212, MCA, is amended to read:

2 **"13-13-212. Application for absentee ballot -- special provisions.** (1) (a) Except as provided in
3 subsection (1)(b), an elector may apply for an absentee ballot by using a ~~standardized~~ standard application form
4 provided by rule by the secretary of state pursuant to [section 1] or by making a written request, which must
5 include the applicant's birth date and must be signed by the applicant. The request must be submitted to the
6 election administrator of the applicant's county of residence within the time period specified in 13-13-211.

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

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

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

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

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

22 (4) (a) An elector may at any time request to be mailed an absentee ballot for each subsequent election
23 in which the elector is eligible to vote or only for each subsequent federal election in which the elector is eligible
24 to vote for as long as the elector remains qualified to vote and resides at the address provided in the initial
25 application. The request may be made when the individual applies for voter registration using the standard
26 application form provided for in [section 1].

27 (b) The election administrator shall mail a forwardable address confirmation form in January of each year
28 to each elector who has requested an absentee ballot for subsequent elections. The address confirmation form
29 is for elections to be held between February 1 following the mailing through January of the succeeding year. The
30 elector shall sign the form, indicate the address to which the absentee ballot should be sent, and return the form

1 to the election administrator. If the form is not completed and returned, the election administrator shall remove
2 the elector from the register of electors who have requested an absentee ballot for each subsequent election.

3 (c) An elector who has been removed from the register may subsequently request to be mailed an
4 absentee ballot for each subsequent election."
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6 **Section 4.** Section 13-21-210, MCA, is amended to read:

7 **"13-21-210. Application for absentee ballots.** (1) (a) A United States elector may apply for a regular
8 absentee ballot as follows:

9 (i) by making a written request, which must include the elector's birth date and signature; ~~or~~

10 (ii) by properly completing, signing, and returning to the election administrator the federal post card
11 application; or

12 (iii) by submitting to the election administrator the standard application form provided for in [section 1]
13 when registering to vote.

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

17 (2) An application for a regular absentee ballot must be received by the appropriate county election
18 administrator by the time specified in 13-2-304 for late registration.

19 (3) An application under this section is valid for all state and local elections in the calendar year in which
20 the application is made and the next two regularly scheduled federal general elections unless an elector requests
21 to be mailed an absentee ballot for each subsequent election in which the elector is eligible to vote or only for
22 each subsequent federal election in which the elector is eligible to vote for as long as the elector remains eligible
23 to vote and resides at the address provided in the initial application.

24 (4) If an elector fails to provide the address confirmation required by 13-13-212, the elector will be
25 removed from the permanent absentee ballot list. An elector who is removed from the permanent absentee ballot
26 list will continue to receive absentee ballots during the period covered in the elector's initial application under this
27 section.

28 (5) The elector's county election administrator shall provide the elector with a regular absentee ballot
29 for the elections described in subsection (3) as soon as the ballots are printed."
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